OFFICIAL REPORT OF PROCEEDINGS

BEFORE THE

NATIONAL LABOR RELATIONS BOARD

In the Matter of: Case No.:   03-CA-295810

STARBUCKS CORPORATION,

       Respondent,

And

WORKERS UNITED,

       Charging Party.

Place: Buffalo, New York
Dates: April 20, 2023
Pages: 692 through 912
Volume: 4

1   BEFORE THE

2   NATIONAL LABOR RELATIONS BOARD

3   --------------------------------: Case No.:

4   In the Matter of: : 03-CA-295810

5   STARBUCKS COPARATION   :

6   Respondent,   :

7   And   :

8   WORKERS UNITED   :

9   Charging Party.   :

10   --------------------------------:

11

12   The above-entitled matter came on for hearing pursuant to

13   notice, before ALJ ROBERT RINGLER, Administrative Law Judge, at

14   the National Labor Relations Board, Region 3, 130 S Elmwood

15   Avenue Suite 630 Buffalo, New York 14202-2465, on Thursday,

16   April 20th, 2023, at 9:00 a.m.

17

18

19

20

21

22

23

24

25

26

1 A P P E A R A N C E S

2 On Behalf of the General Counsel:

3 Daniel Goode, Esq

4 Abigail Snelling, Esq

5 NATIONAL LABOR RELATIONS BOARD, REGION 3

6 130 S Elmwood Avenue, Suite 630

7 Buffalo, NY 14202-2465

8 (716) 551-4931

9 On Behalf of the Respondent:

10 Ethan D. Balsam, Esq

11 Jerry Walters, Esq

12 William Whalen, Esq

13 Kimberly J. Duplechain, Esq

14 Littler Mendelson P.C.

15 815 Connecticut Avenue NW, Suite 400

16 Washington, D.C. 20006

17 (202) 789 3424

18 On Behalf of the Charging Party:

19 Hayes Dolce, Esq

20 Ian Hayes, Esq

21 Michael Dolce, Esq

22 135 Delaware Avenue, Suite 502

23 Buffalo, NY 14202

24 mdolce@hayesdolce.com

25

```
 1                    I N D E X

 2   WITNESS          DIRECT  CROSS  REDIRECT  RECROSS  VOIR DIRE

 3   Meghan Gillen     705    748     767       774     724

 4   Rachel Cohen      778    809     819       --      798

 5   William Westlake  826    --      --        --      838, 846,

 6                                                      872, 889

 7                                                      893

 8

 9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25
```

	EXHIBITS		
1	E X H I B I T S		
2	EXHIBITS	IDENTIFIED	RECEIVED
3	General Counsel's		
4	GC-41	723	725
5	GC-42	726	--
6	GC-43	742	--
7	GC-44	784	785
8	GC-45	797	798
9	GC-46	805	--
10	GC-47	805	--
11	GC-48	824	--
12	GC-49	828	830
13	GC-50	837	839
14	GC-51A, B	845	848
15	GC-52A, B	852	855
16	GC-53	882879	882
17	GC-54A, B	885	887
18	GC-55	904	905
19	GC-56	860	867
20	GC-57	871	873
21	GC-58	877	877
22	GC-59	883	884
23	GC-60	887	892
24	GC-61	892	892
25	GC-65	901	902

1   E X H I B I T S(Continued)

2   EXHIBITS   IDENTIFIED   RECEIVED

3   General Counsel's

4

5   GC-66   901906   906

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

 1   P R O C E E D I N G S

 2   (Time Noted: 8:57 a.m.)

 3   JUDGE RINGLER: Yeah. I believe if we are back on

 4 the record. So counsel for the General Counsel has a concern.

 5 I -- I wouldn't call it concern, right? Comment regarding

 6 subpoena production. So what do you got?

 7   MR. GOODE: Yeah, just -- I guess just some

 8 information, I'm just trying to get some information. So we're

 9 trying to first understand, what we've received from what we

10 can tell two productions. I think approximately 950 documents,

11 Judge. As I understand it, in Buffalo 1 there were eight

12 productions, 2,600 documents.

13   So we're trying to understand with that context, how

14 much has been provided, what's left to be provided, when it'll

15 be provided, you know, that type of stuff. Because I think

16 what's happening here is we are getting close to finishing our

17 case. I think I mentioned yesterday, we could be done earlier

18 in the week, next week than expected. So -- and again, it

19 takes us a couple of days to be able to actually access the

20 documents.

21   JUDGE RINGLER: Sure.

22   MR. GOODE: So we'd like to know --

23   JUDGE RINGLER: Sure.

24   MR. GOODE: What's left?

25   JUDGE RINGLER: Where you're at.

1   MR. GOODE: What's coming?

2   JUDGE RINGLER: Okay. So where are we at?

3   MR. BALSAM: We fully expect to complete our

4 production by tomorrow. As, sorry, Friday, tomorrow intended.

5 I'm not sure the size of the production, why that matters.

6 This case is obviously smaller and more targeted than was.

7 That's probably the reason for the difference in size but I

8 understand that in terms of page number total is going to be --

9 where are we at?

10   MS. DUPLECHAIN: So far?

11   MR. BALSAM: Yeah.

12   MS. DUPLECHAIN: Give me one second.

13   JUDGE RINGLER: Okay.

14   MR. BALSAM: But regardless, regardless, we will have

15 to our production tomorrow.

16   JUDGE RINGLER: All right.

17   MR. BALSAM: And if there's any specific concerns

18 after the counsel for the General Counsel has reviewed our

19 production, we're happy to deal with when we confer with them

20 if there's anything from our perspective we've conducted in

21 good faith search of all documents, responsive and compliance

22 with your order, and that's our progress.

23   JUDGE RINGLER: Okay.

24   MR. GOODE: Okay. But we're also wondering about a

25 privilege log, Your Honor. I -- I had a chance to briefly look

1 for some documents. I saw some privilege markings. So we need

2 to know, you know, our subpoena required a privilege log.

3 That's the process. We need to -- we need that privilege log,

4 while we're going through the documents.

5   MR. BALSAM: So two things on that. One we will

6 produce a privilege log tomorrow.

7   JUDGE RINGLER: Okay.

8   MR. BALSAM: I will also note that oftentimes you may

9 see documents that say ACP on them does not mean it's

10 privileged, but --

11   MR. GOODE: There's one I -- one particular, I'm

12 thinking of a section of it was marked out, said it's

13 privileged over time.

14   MR. BALSAM: Okay. Yeah, you will have the privilege

15 log tomorrow.

16   JUDGE RINGLER: Okay. Okay. Good. So we covered

17 that as well.

18   MR. GOODE: And we're wondering if -- if an index is

19 being provided because --

20   MR. BALSAM: No, we, we don't.

21   MR. GOODE: Well, we -- we're getting just a dump of

22 documents, number one. There was an index provided in Buffalo

23 1 -- I think two indexes, if I'm not mistaken. We have no

24 indication what's been produced, what hasn't been produced,

25 what's left to be produced. It's just a bunch of documents

1 that were dumped. Quite frankly, I don't know how Respondent

2 knows what it has provided, what it hasn't provided and what's

3 left to be provided without some sort of index. So, yes, you

4 know, that's -- that's something that we request.

5   MR. BALSAM: Judge, we have no obligation to produce

6 an index. We're not going to produce an index. We did that in

7 Buffalo 1, because that's a professional courtesy. We're not

8 inclined to do that again. There's no reason to, no obligation

9 to produce an index. So we're not going to.

10   MR. GOODE: So that leads me to my next point, Judge.

11 In -- in Respondent's petition to revoke, which you denied in

12 their entire Respondent said it would conduct a -- I think what

13 the -- the term was system level approach. That's that. Or

14 they would -- they would check for documents at the system

15 level without any explanation of what that means.

16   So how -- we as the General Counsel, we don't know

17 whether documents are what -- what the -- the -- the universe

18 of the search is. What the expansive universe is. Are they

19 searching for all relevant documents? Are they searching at a

20 particular level, we don't know. Well, so without that.

21   JUDGE RINGLER: I understand that. Maybe what makes

22 more sense, at least from my perspective, is once you get a

23 chance to look at what they've produced in its entirety and you

24 understand what's there, and you either say, okay, I'm

25 satisfied, I have everything, or Oh boy, I think these are, you

1 know, disciplinary documents.

2   Maybe they keep at the individual stores and maybe

3 that wasn't accomplished by the quote unquote system search or

4 whatever, then you could certainly raise that at that time. I

5 think it might make more sense for you to complete looking at

6 these things first. Now, in terms of the production, I -- I

7 understand you're getting it Friday morning, which gives us

8 that pocket over the weekend for the GC to look at these things

9 on Saturday and Sunday.

10   If that proves onerous and you need to maybe break

11 early on Monday, you -- if you need additional time as

12 indicated, I'll be flexible on that. You know, just keep me in

13 the loop in terms of what you're -- what you're looking for and

14 we'll make sure that, well before you rest, that you could say

15 to me, you know, I've looked at these documents at this point,

16 but I think two full days to do it on Saturday and Sunday would

17 probably accomplish most of that. But if there's extra time

18 that's needed on Monday, you know, I could be flexible with

19 that as well.

20   MR. GOODE: And -- and just for the record to be

21 clear, there's -- there's Respondent's not going to be required

22 to give us an index, Judge?

23   JUDGE RINGLER: You know, I'll give that -- I'll give

24 that some thought. Do you want to give me a quick -- quick

25 letter brief on why you feel you're entitled to an index? And

1 do you want to give me a quick letter brief on why you feel

2 that you're not entitled -- that you're not obligated to

3 provide it?

4   MR. GOODE: Are we going to receive it, the benefit

5 of their brief before we get to submit our response?

6   JUDGE RINGLER: Can you give me something by the --

7 by the end of the day and then when you make your production

8 you could, you know, give us -- give us a reply?

9   MR. GOODE: We can try, Your Honor, I -- I would note

10 that our -- our subpoena asked for the documents to be provided

11 with -- with respect to the specific request for it to be I

12 don't -- I don't know, I don't have the specific language

13 offhand, but we ask that the document production being turned

14 over and so that we can tell which paragraphs of the subpoena

15 it's responsive to.

16   We -- we don't know that just by looking at a

17 humongous, you know, 949 documents, all in one in -- in one --

18 yeah. One dump, this case two dumps. So it would go to that

19 point, Your Honor. I -- I can ask that somebody do something

20 for you.

21   JUDGE RINGLER: I'd appreciate that. Okay. All

22 right. You know, that's the -- that's unfortunately the rub

23 with this, the more you ask for and the more you receive,

24 obviously the more complicated it's to go through these things.

25   MR. GOODE: Well, yeah, and I'm not -- I don't -- I

1 don't dispute that, Judge.

2 JUDGE RINGLER: Yeah. Okay. All right, but please

3 provide something to me on that and then they can reply to that

4 and then we'll, we'll take it from there. All right. So who

5 do we have for our first witness of the day?

6 MS. SNELLING: We have Megan Gillen.

7 JUDGE RINGLER: Okay.

8 MS. SNELLING: I'll go grab her for you?

9 JUDGE RINGLER: Yes. Yes. That sounds great. Go

10 off for just a second while she goes to get Megan Gillen.

11 (Brief recess at 9:04 a.m./Reconvened at 9:05 a.m.)

12 JUDGE RINGLER: Okay. Let's go back on the record

13 once you're all squared away there. I don't know if you have a

14 bottle of water or something, you're welcome to have it on the

15 stand with you.

16 THE WITNESS: Yeah.

17 JUDGE RINGLER: Okay. Good. So I'm Judge Ringler.

18 Nice to make your acquaintance again, right? Could you help me

19 with the door this morning when I have my two cups of coffee?

20 So thank you for that.

21 THE WITNESS: You're welcome.

22 JUDGE RINGLER: If you could spell your name for the

23 record first and last please.

24 THE WITNESS: Yeah, my first name is Megan, M-E-G-A-

25 N, and my last name is Gillen, G-I-L-L-E-N.

1   JUDGE RINGLER: Perfect. And please raise your right

2 hand.

3 Whereupon,

4   MEGAN GILLEN,

5 was called as a witness having been previously duly sworn, was

6 examined and testified as follows:

7   JUDGE RINGLER: Okay. And counsel, what complaint

8 paragraphs is Ms. Gillen testifying about?

9   MS. SNELLING: Yes. So complete Paragraph 7A and

10 then 9J, and for 9J, Your Honor, she'll be touching upon Sam

11 Amato's discharge and also Todd Tiana Kiki's discharge.

12   JUDGE RINGLER: Okay. And hold on one moment. Let

13 me just catch up. Just jot down on the complaint. Just take a

14 quick look. So the alleged three strikes disciplinary policy,

15 we're going to get into that. And --

16   MS. SNELLING: Actually, Your Honor, there might be

17 one more thing. Hold on one second.

18   JUDGE RINGLER: Okay. Okay.

19   MS. SNELLING: I just want to -- okay. Okay. And

20 then, Your Honor, she's going to provide a little bit of I

21 guess context to 9(e) as well. It -- it's going to be kind of

22 attenuated, but it'll still be, you know, slightly relevant and

23 com -- and some comparable information for that paragraph.

24   JUDGE RINGLER: Okay. Involving Jazz Brisk?

25   THE WITNESS: Yeah.

1   JUDGE RINGLER: All right. Okay. Thank you. And

2 whenever you're ready, look to it.

3   MS. SNELLING: Great. Thank you, Your Honor.

4   JUDGE RINGLER: You're welcome.

5   DIRECT EXAMINATION

6 BY MS. SNELLING:

7   Q.   Okay. Good morning, Megan

8 A.   Good morning.

9 Q.   How are you?

10 A.   I'm well. How are you?

11 Q.   Good. Megan, what are your pronouns?

12 A.   She, her.

13 Q.   Okay. And where do you currently work?

14 A.   I currently work for Starbucks.

15 Q.   Okay. When did you start working for Starbucks?

16 A.   The original start date was August 28th, 2017.

17 Q.   Okay. And did you work for Starbucks continuously from

18 August of 2017 to now?

19 A.   No, I had left originally, mid-January 2023 and restarted

20 this month, April of 2023.

21 Q.   Okay. And when did you restart working for Starbucks this

22 month?

23 A.   I believe it was April 6th.

24 Q.   Okay. So we'll focus on that first time frame of August

25 of 2017 to January of 2023. What store did you work at while

```
 1  employed by Starbucks at that time?
 2  A.   I was working at three different locations in the San
 3  Jose, California area from August of 2017 to September of 2019,
 4  and then September of 2019 to January of 2023, I worked at the
 5  Sheridan and North Bailey location in Buffalo, New York.
 6  Q.   Great, and what position did you hold when you worked from
 7  -- for Starbucks from August of 2017 to January, 2023?
 8  A.   I was a shift supervisor.
 9  Q.   Okay.  And you were shift supervisor at the day of hire?
10  A.   Correct.
11  Q.   Okay.  And during that time frame, how many hours a week
12  did you typically work?
13  A.   To start off with, I worked close to 40 hours a week, and
14  then by January, 2023 I worked about 18 to 20 hours a week.
15  Q.   Okay.  And what days did you typically work in that first
16  time frame?
17  A.   I was always an opener on Tuesdays and Sundays and then
18  either opens or mids any other point of the week.
19  Q.   Okay -- okay, now focusing on you coming back to Starbucks
20  this month, how many hours a week do you typically work?
21  A.   I work over 30 hours a week.
22  Q.   Okay.  And what position do you hold?
23  A.   Just a barista.
24  Q.   Okay.  And what days do you typically work?
25  A.   I typically work Monday through Thursday and I work on
```

1 Sundays as well.

2 Q.   Okay. And what shift do you typically work?

3 A.   I typically work the opening shift or the mid shift on

4 Wednesdays.

5 Q.   And why did you take a brief break from Starbucks?

6 A.   I took a brief break from Starbucks because I had an

7 opportunity with another company, decided it was not for me and

8 wanted to come back to Starbucks.

9 Q.   Okay. And why did you come back as a barista?

10 A.   Came back as a barista, mainly because the store that I

11 wanted to work at, which was the original store that I had

12 worked at in Buffalo area, which was Sheridan in North Bailey,

13 didn't have room for me as a shift supervisor. And instead of

14 going to the different location as a shift supervisor, I wanted

15 to go back to my store. So I like to think of it as a barista.

16 Q.   Okay. Are you familiar with the Union Workers United?

17 A.   Yes, I am.

18 Q.   Okay. When did you become familiar with them?

19 A.   I became familiar with Workers United, probably sometime

20 September, 2021.

21 Q.   Okay. And how did you become familiar with Workers

22 United?

23 A.   I became familiar with Workers United because there was

24 some rumors going around, you know, some people wanting to

25 unionize. And when a formal letter was sent that's when people

1 really started talking about the Union in the stores.

2 Q. Okay. And what letter are you referring to?

3 A. There was a letter, some baristas and shift supervisors in

4 the Buffalo market, had gotten together and written to

5 Starbucks corporate as a whole about their wanting to use their

6 rights to form a Union for the stores. I believe it was

7 signed, I don't know how many people signed it, but I know

8 there was a few people at my store who did.

9 Q. Okay. Did you sign the letter?

10 A. I did not.

11 Q. Okay. And so did your store Sheridan and Bailey ever

12 unionized?

13 A. We did, we ended up unionizing, I want to say it was

14 sometime between February and March of 2022.

15 Q. Okay. And prior to unionizing, did your store

16 specifically publicly express that its intent to unionize?

17 A. Yes.

18 Q. Okay. And how?

19 A. So we had baristas who were wearing Union like pins,

20 merchandise. We would talk about it with each other people who

21 had questions about it. There were, what I would term Union

22 leaders in the store who were very active. Some of them were

23 the original people who signed the letter, Starbucks corporate.

24 So our store was very active and wanted to Union.

25 Q. And when you say Union leaders within your store, who are

1 you thinking of?

2 A.   The three people who come to mind, Samuel Amato, Rachel

3 Cohen and Daniel Rojas.

4 Q.   Okay. And this store specific letter that was sent or

5 maybe you didn't mention that, but did your store specifically

6 send a letter to corporate?

7 A.   I honestly don't know. Probably.

8 Q.   Okay.

9 A.   But I'm unsure.

10 Q.   Okay. I know you mentioned people would wear pins at your

11 store, did you wear pins while working?

12 A.   I did not.

13 Q.   Okay. Did you wear Union pins working?

14 A.   No.

15 Q.   Okay. And have you -- is there any other way that you

16 could have shown your Union support?

17 A.   There were t-shirts that were made. There were strikes

18 that had happened after we unionized, so we supported it that

19 way.

20   MR. BALSAM: Objection. This witness is testifying

21 about collective group of individuals, the questions about

22 anything that she personally did by first using the term we --

23   JUDGE RINGLER: Sustained.

24   MR. BALSAM: I move to strike.

25   JUDGE RINGLER: Sustained.

1   MS. SNELLING: Okay.

2 BY MS. SNELLING:

3 Q.   So what --

4 A.   what did I --

5 Q.   What did you do to support the Union?

6 A.   So to support the Union I specifically, anybody who asked

7 questions, I answered them the best I could. I also told them

8 to go to those Union leaders if they had any other specific

9 questions. And I also did go to a few bargaining meetings or

10 well meetings about what we wanted to bargain for as a store at

11 the Triami Building.

12 Q.   Okay. And those bargaining meetings did that involve

13 anyone from the employer?

14 A.   No.

15 Q.   Okay.

16   JUDGE RINGLER: So counsel, and you might be done

17 with this area, but she's not in 8A3 allegation, correct?

18   MS. SNELLING: No, she's not, Your Honor.

19   JUDGE RINGLER: So why are we delving so heavily into

20 her Union activity?

21   MS. SNELLING: Yes. So I just wanted to kind of,

22 you'll see later when we talk about --

23   JUDGE RINGLER: Okay.

24   MS. SNELLING: Something else that she has knowledge

25 of that it -- it'll be really good comparison to somebody who

1 was in 8A3.

2   JUDGE RINGLER: Okay. All right.

3   MS. SNELLING: You know, without -- without tipping

4 the witness off.

5   JUDGE RINGLER: Go ahead.

6   MS. SNELLING: Yes. Okay.

7 BY MS. SNELLING:

8 Q.   Okay. Megan, when you worked at Sheridan Bailey, you

9 mentioned that you worked with someone named Sam Amato,

10 correct?

11 A.   Correct.

12 Q.   Okay. And how long had you worked with Sam?

13 A.   I worked with Sam since September of 2019, all the way up

14 until his termination of August, 2022.

15 Q.   Okay. And how many shifts a week would you work with Sam,

16 typically?

17 A.   I would definitely see him at least twice a week, if not

18 more.

19 Q.   And to the best of your knowledge, what position did Sam

20 hold?

21 A.   So Sam was a shift supervisor, he worked closings mostly

22 the very rare, occasional mid-shift on a weekend.

23 Q.   Okay. And is Sam still with Starbucks?

24 A.   No, he's not.

25 Q.   Okay. And why not?

1 A.   He was terminated, like I said before, in August of 2022.

2 Q.   Okay. And after he was terminated, did you speak with him

3 about his termination?

4 A.   I did.

5 Q.   Okay. And did he show you anything in reference to his

6 termination?

7 A.   I saw the paperwork that he had gotten from his

8 termination.

9 Q.   Okay. So the notice of separation?

10 A.   Sure.

11 Q.   Okay. And if I showed that to you, would you recognize

12 it?

13 A.   Yes, I would.

14   MS. SNELLING: Okay. Your Honor, this is already in

15 evidence. This is GC Exhibit 24. That extra coffee. Thank,

16 you.

17   MR. GOODE: I've gotten one.

18   MS. SNELLING: You've got yours. Okay. Perfect.

19 And do you want --

20 BY MS. SNELLING:

21 Q.   Megan, do you recognize this?

22 A.   Yes, I do.

23 Q.   Okay. And so what is this?

24 A.   So this was the notice of separation Sam got on August the

25 5th.

1   MR. BALSAM: Objection, this witness is, could not

2 possibly know that this is the separation of Sam received on

3 that date. She can testify only to what Sam showed her. And

4 so the better answer move to strike previous testimony. The

5 better answer is what did Sam show you? This is what he showed

6 you.

7   JUDGE RINGLER: Okay. Go ahead. I think that's

8 fair.

9   MS. SNELLING: Okay. Yeah.

10 BY MS. SNELLING:

11 Q.   So is this what Sam showed you?

12 A.   Yes. It is.

13 Q.   Okay. How did Sam show you this?

14 A.   I -- he sent me a picture of it, initially and then I did

15 see him in person.

16 Q.   Okay. And looking over the document to the best of your

17 knowledge, is this a true and accurate copy of what Sam showed

18 you?

19 A.   Yes.

20 Q.   Okay. Okay. So I'm going to focus our attention on the

21 bullet in the middle of that box that says on July 3rd, Sam

22 closed the cafe during regular business hours. Do you agree

23 with that statement?

24 A.   No, I do not.

25 Q.   Why not?

1 A. Because I was the one who closed the cafe.

2 Q. Okay. And so were you working on July 3rd?

3 A. Yes, I was.

4 Q. Okay. And who were you working with?

5 A. I opened that day. I worked with a few different

6 baristas, and then Sam had come in probably between 12:00 and

7 1:00 o'clock that day.

8 Q. Okay. And what location were you working at?

9 A. We were working at the Taniwana, location on Delaware, as

10 our store at Sheridan and North Bailey was closed for

11 renovations.

12 Q. Okay. And Megan, you can flip over the notice of

13 separation contract is not much anymore. Okay. And so were

14 you the one that made the decision to close the cafe?

15 MR. BALSAM: Objection. Asked and answered.

16 JUDGE RINGLER: You can answer. I'll -- I'll allow

17 it. Go ahead.

18 BY MS. SNELLING:

19 Q. Okay. Was anyone else?

20 JUDGE RINGLER: Well -- well, I said I'd allow it.

21 So what was your answer?

22 BY MS. SNELLING:

23 A. So yes, I was the one who closed the cafe.

24 Q. Okay.

25 MR. BALSAM: What was the question? Objection move

1 to strike.

2   JUDGE RINGLER: I'll allow it. Go ahead. Continue

3 counsel.

4   MS. SNELLING: Okay. Thank you.

5 BY MS. SNELLING:

6 Q.   Was anyone else involved in the decision to close the

7 cafe?

8 A.   No, they were not.

9 Q.   Okay. Okay. So why did you close the lobby?

10 A.   I closed the lobby that day because we were short staffed.

11 It was a holiday weekend and we weren't able to keep up with

12 business. And so I made the decision it would be best for the

13 store to be drive through only.

14 Q.   Okay. And I think you may have mentioned this, but why

15 couldn't you keep up with business that day?

16   MR. BALSAM: Objection, relevance. She said she was

17 -- Objection, relevance and also move to strike the previous

18 answer.

19   JUDGE RINGLER: Okay. Hold -- hold on one second.

20 Let me just peek up my notes here. I'll -- I'll allow it. Go

21 ahead. You could say why you felt you couldn't keep up with

22 business that day. Well, actually you said it was short

23 staffed with this. You had any other reasons beyond that?

24   THE WITNESS: No, there was just three of us there.

25 Okay. Holiday weekend. So is busy.

1   JUDGE RINGLER: Okay.

2 BY MS. SNELLING:

3 Q. Okay. And how would closing the cafe help you keep up

4 with business?

5 A. So closing the cafe to keep up with business and being

6 drive through only allowed only one area of production and

7 talking with customers and serving customers, whereas having

8 the lobby open, you had two ways people could be coming in and

9 you had less time to focus on your customers as a whole, and

10 you're unable to keep up with demand.

11   MS. SNELLING: Okay. And Your Honor, I would like to

12 quickly note for the record that we are using Cafe and lobby

13 interchangeably. I just want that to be clear for the record

14 so that we can understand.

15   JUDGE RINGLER: Okay. Thank you.

16 BY MS. SNELLING:

17 Q. Okay. And what steps did you take to close the lobby,

18 Megan?

19 A. So the steps that I took there are forms that from,

20 lockdown during COVID and not just reopening. There are forms

21 on our partner hub under COVID-19, that allow you to print

22 different forms whether the store is closed because there were

23 worth COVID cases and they can't open until they clean or

24 you're drive through only because again you're short staffed or

25 however.

1   So I went to our back room, printed two signs that

2 said that, you know, sorry for the inconvenience will be drive

3 through only. I taped them on the doors in our cafe, locked

4 the doors, informed the customers inside that they were more

5 than welcome to wait for their beverages. They could still

6 order everything like that.

7   I didn't kick anyone out, went out onto our patio and

8 let those customers know that we would be closing the -- the

9 cafe, the lobby. But they -- if they needed to use the

10 restroom or anything to do it now. So they did and no one had

11 any complaints. And then we went to drive through only.

12 Q. Okay. And about what time did you do that?

13 A. So that was probably around 1:00 p.m.

14 Q. And did you let anyone know besides the customers that you

15 were closing the cafe?

16 A. Yeah. I briefly just told our barista's and Sam, who was

17 another shift supervisor with me at the time. I said, Hey, I'm

18 closing the lobby. We can't keep up in passing and I closed

19 the lobby.

20 Q. Okay. And Megan, why did you think that you could close

21 the lobby?

22   MR. BALSAM: Objection. Leading.

23   JUDGE RINGLER: Why did you think that you could

24 close the lobby? I -- I think that's appropriate. Go ahead.

25 BY MS. SNELLING:

1 A.   Okay. So the reason why I thought I could close the

2 lobby, there had been multiple instances, but one specifically

3 was when I talked to a district manager, it was probably

4 sometime December of 2021 when we had a bunch of borrowed

5 managers in the area, at the time his name was Lewis.

6   He told me that I needed to do what was best for my

7 customers and best for my partners. And if that meant closing

8 the lobby, then that, and going drive through, only then that's

9 what I should do. And so in that moment I thought of that and

10 I thought that's what would be best for my customers and for my

11 partners and I closed the lobby.

12 Q.   And is this the first time you closed the lobby?

13 A.   No, it is not.

14 Q.   Okay. How many times prior to this instance had you

15 closed the lobby?

16 A.   I know of one instance that was took place probably March

17 of 2022, I closed the lobby because we were short staffed

18 because I had some openers not come in. So I wasn't even able

19 to open the doors to begin with because we didn't have enough

20 staff in the store.

21 Q.   Okay. And when you didn't open the lobby in that

22 instance, did you let a manager know?

23 A.   I probably let a manager know that people didn't show up,

24 but I didn't specifically state to them that I kept the lobby

25 closed or that we were drive-through only.

1 Q. Okay. And who was the manager that you told people didn't

2 show up for work?

3 A. Her name was Amy.

4 Q. Okay.

5   JUDGE RINGLER: And this is in March of 2022 you're

6 referring to?

7   THE WITNESS: March of 2022. Correct.

8 BY MS. SNELLING:

9 Q. And were you disciplined in that instance of closing the

10 lobby in March of 2022?

11 A. No, I was not.

12 Q. And which location were you at at the time?

13 A. Sheridan and North Bailey.

14 Q. Are you aware of any other employees that closed the

15 lobby?

16 A. Yeah. So there was another shift supervisor who had a

17 similar situation that I did in that May of 2022. Her name is

18 Renee, she also had the lobby closed one morning because again,

19 she didn't have opener show up and it was her and one other

20 person.

21 Q. Okay. And so how did you know that the lobby was closed

22 in that instance?

23 A. I knew the lobby was closed because when I went to go work

24 my shift, it was 7:00 a.m. shift. I had to use my key to get

25 into the door.

1 Q.   Okay. And it was that unusual that --

2 A.   Yes, because if the store opened at 5:30 a.m. the doors

3 were normally open for the cafe.

4 Q.   Okay.

5 A.   At that time.

6   JUDGE RINGLER: And one more time, you might have

7 said, when was this?

8   THE WITNESS: I don't remember when that instance was

9 exactly, because we've had lobbies closed multiple times when

10 the manager is there as well, just because of short staff, so

11 that was probably sometime maybe September, October of last

12 year, 2022.

13   JUDGE RINGLER: Okay.

14 BY MS. SNELLING:

15 Q.   Okay. And does Renee still work for Starbucks?

16 A.   Yes, she does.

17 Q.   Okay. Megan, did the Tonawanda location have cameras?

18 A.   Yes, they did.

19 Q.   Okay. What did the cameras look like?

20 A.   They looked like those fishbowl lenses, the 360 cameras.

21 Q.   Okay. And where were they located in the store?

22 A.   There was one in the back room and I believe there were

23 three, if not four on the floor, there was always one above the

24 registers. So there would be one at drive through, there would

25 be one at the registers for the cafe, and potentially one going

1 down a hallway. Hallway to the back.

2 Q.   And to the best of your knowledge, were those cameras

3 working?

4 A.   Yes.

5 Q.   Okay. So we'll go back to July 3rd. After you closed the

6 lobby, what, if anything did you do next?

7 A.   Closed the lobby, I helped Sam clear out the customers

8 that were in the cafe, by providing their beverages and the

9 like. I helped Sam keep up -- to clean up some of the things

10 and make backups. And then I spoke with him about opening the

11 doors back up around 4:00 o'clock because that's when more

12 staff would be coming in.

13 Q.   Okay. And was anything -- was anything, strike that. Let

14 me -- let me rephrase this question. Aside from the lobby,

15 were there any other channels in which you served customers

16 that were closed that day?

17 A.   So yes. So we had our mobile ordering system off pretty

18 much almost all day, because right from the beginning, I didn't

19 have people show up in the morning. So I had called my store

20 manager, Hannah, and asked her to have mobiles off until we got

21 more staff in. I went over the schedule for the day with her,

22 and told her that we would be fully staffed starting at 4:00

23 o'clock.

24 Q.   Okay. And what is Hannah's last name, if you recall?

25 A.   I know it starts with a S, I can't pronounce her last name

1 and I don't want to butcher it.

2 Q. Okay. Is it Stachowiack?

3 A. Yes.

4 Q. Okay. And when did she become your store manager?

5 A. She became our store manager, I believe, officially in

6 April of 2022.

7 Q. Okay. Okay. So after you had those conversations with

8 Sam, did you leave for the day?

9 A. I did. I left probably around 2:00 o'clock that day,

10 which between 1:30 o'clock.

11 Q. Okay. And so -- so after you left did -- did you hear

12 from your manager?

13 A. Yes. Hannah texted me probably around 4:00, 4:30 that

14 day. I -- like I had mentioned previously, it was a holiday

15 weekend, so I was at a family gathering. So I didn't respond

16 to her via text.

17 Q. Okay. And do you still have those text messages?

18 A. Yes, I do.

19 Q. Okay. And if I showed them to you, would you recognize

20 them?

21 A. Yes, I would.

22   MS. SNELLING: Your Honor, I'm distributing what is

23 marked as GC Exhibit 41.

24   JUDGE RINGLER: All righty, GC-41?

25   MS. SNELLING: Yes.

1   JUDGE RINGLER: All right, thank you.

2 BY MS. SNELLING:

3 Q.   Megan, do you recognize this?

4 A.   Yes, I do.

5 Q.   Okay. What is this?

6 A.   So these are the text messages, that I had with my store

7 manager at the time, Hannah, my messages are in the green and

8 hers are in the gray.

9   (General Counsel's Exhibit GC-41 identified.)

10 Q.   Okay. And is this a screenshot of those messages?

11 A.   Yes, it is.

12 Q.   Okay. And is this a -- focusing more towards the top of

13 the text messages since we're focusing on July 3rd, is that the

14 complete conversation that you had with her on July 3rd?

15 A.   Yes, it is.

16 Q.   Okay. And how do you know that you were texting your

17 store manager, Hannah?

18 A.   At the top there where it says Hannah SMT, that is her

19 contact that I had for her.

20 Q.   Okay. In your phone?

21 A.   In my phone, yes.

22   MS. SNELLING: Okay. I move GC Exhibit 41 into

23 evidence.

24   MR. BALSAM: Voir dire?

25   JUDGE RINGLER: Yes.

1   VOIR DIRE

2 BY MR. BALSAM:

3 Q.   I'm just trying to understand, you said this is complete

4 text message with your manager?

5 A.   Mm-hmm.

6 Q.   Chain?

7 A.   Yeah.

8 Q.   On the bottom of GC Exhibit 41, there's a part that's cut

9 off.

10 A.   Yeah, so that was from July 5th, so that was probably more

11 about asking her for products on her way in. Probably Peat

12 Juice or probably ends with Strawberry Asave pressure base. I

13 asked her to pick up product from another store on her way in.

14 So just hit fit.

15 Q.   Just so I'm clear, the what -- what GC the -- GC -- GC-41

16 trying to do is introduce the snapshot of your text messages

17 between Hannah, correct?

18 A.   Correct.

19 Q.   But you have text messages beyond the ones that you're

20 sitting here?

21 A.   Yes.

22 Q.   Do you still have those on your phone?

23 A.   Yes, I do.

24 Q.   And in the -- the middle part where it says, did you make

25 the decision to close down the lobby without my permission

1 today, do you see that?

2 A.   Yes, I do.

3 Q.   Is that Hannah texting you that question?

4 A.   Yes, it is.

5 Q.   Okay. Did you respond directly to that question?

6 A.   I did not respond in a text message. I responded to her

7 in person on Tuesday the 5th when I saw her in person.

8 Q.   Why didn't you respond to her right there when she was

9 asking that question?

10 A.   Because I was at a family gathering. I wasn't paying

11 attention to my text messages.

12   MR. BALSAM: I have no objection, Judge.

13   JUDGE RINGLER: Okay. We'll allow in the -- the text

14 GC-41.

15   (General Counsel's Exhibit GC-41 received.)

16   JUDGE RINGLER: And you're only offering it for the

17 July 3rd component, correct?

18   MS. SNELLING: Yes, Your Honor.

19   JUDGE RINGLER: All right.

20 BY MS. SNELLING:

21 Q.   And so Megan, if I showed you the contact that you had for

22 Hannah in your phone, would you recognize it?

23 A.   Yes, I would.

24   MS. SNELLING: Your Honor, I'm distributing what is

25 pre marked as GC Exhibit 42.

1 BY MS. SNELLING:

2 Q.   Okay. Megan, do you recognize this?

3 A.   Yes, I do.

4 Q.   Okay. What is this?

5 A.   That is my contact for Hannah, who was my store manager,

6 like I said at the time.

7   (General Counsel's Exhibit GC-42 identified.)

8 Q.   Okay. And this -- is this a screenshot from your phone?

9 A.   Yes, screenshot from my phone.

10 Q.   And that's her phone number under what's stated as mobile?

11 A.   Yes.

12 Q.   Okay. And this is a true and accurate copy of the contact

13 card that you have in your phone for Hannah?

14 A.   Yes, it is.

15   MS. SNELLING: Okay. I move GC Exhibit 42 into

16 evidence.

17   MR. BALSAM: Judge, I object. It's not relevant,

18 it's also cumulative. As long as I did not object to the

19 introduction of GC Exhibit 41, first to be a text message

20 exchange between Hannah and this witness. It's irrelevant.

21 It's not --

22   JUDGE RINGLER: Yeah, no, I -- I would -- I would

23 tend to agree. We have unrebutted testimony that GC-41 is a

24 text between her and Hannah. If at some point it's somehow

25 challenged that, no, you know, I never received the text and

1 you want to provide this as rebuttal evidence, I'll certainly

2 give you the opportunity at that time.

3   Should you want to withdraw GC-42 and if necessary,

4 provided as rebuttal evidence thereafter after, after you

5 confer.

6   MS. SNELLING: Hold on one minute, Your Honor.

7 Sorry.

8   JUDGE RINGLER: Two people talking to you.

9   MS. SNELLING: Your Honor, it's -- I just want to

10 clarify, is Respondent stipulating that these text message are,

11 these text messages are from -- to Megan from the store

12 manager, then?

13   JUDGE RINGLER: I don't think they're stipulating. I

14 think he said that he doesn't intend to challenge that premise.

15 But if in fact, which would leave that as unrebutted testimony.

16   MS. SNELLING: Yes.

17   JUDGE RINGLER: But if in fact they do challenge it,

18 I'll be very open to taking it as rebuttal evidence. So my

19 question is, do you want me to reject it or would you like to

20 withdraw it and then hold it if you need it later on your call.

21   MS. SNELLING: We can withdraw Your Honor.

22   JUDGE RINGLER: Okay. So I'll -- I'll leave that for

23 you to not -- you don't have to get it now, but I'll leave that

24 for you to take that back.

25   MS. SNELLING: Thank you, Your Honor. I'd like to --

1 thank you, Your Honor.

2   JUDGE RINGLER: All right.

3   MS. SNELLING: Okay.

4 BY MS. SNELLING:

5 Q. Megan, focusing on the text messages.

6 A. Mm-hmm.

7 Q. Earlier in the day at around 11:30, it looks like Hannah

8 texted you and said, how's it going? What were you speaking

9 with her about at that moment?

10 A. So what I was speaking to Hannah about was I had

11 previously mentioned that I had called her and let her know

12 that we were short-staffed and we needed mobiles turned off.

13 So she had mentioned -- she had texted me and asked me how it

14 was going. Basically, what my frame of reference for that

15 would be is that she was asking me like, do we have enough

16 staff? Can I turn on mobile?

17   MR. BALSAM: Objection, this witness can't testify to

18 the lines of an individual she testify as to what is continuing

19 in this text message.

20   MS. SNELLING: Okay.

21   JUDGE RINGLER: That's -- that's fine. I -- I would

22 sustain that objection.

23 BY MS. SNELLING:

24 A. So my response to Hannah was you know, I had looked ahead,

25 as I said in my text message --

1   MR. BALSAM: Objection, move to strike the documents

2   speaks for itself. She's just repeating what's in the

3   document.

4   JUDGE RINGLER: So I think what would be -- what

5   would be useful?

6   THE WITNESS: I just don't know what the question is.

7   JUDGE RINGLER: Yeah, let me ask you just a question

8   just to -- just to clarify.

9   THE WITNESS: Yeah.

10   JUDGE RINGLER: So I'm clear that I know what your

11   Starbucks lingo means, right?

12   THE WITNESS: Okay. Yeah.

13   JUDGE RINGLER: All right. So you said, Hey Hannah,

14   I was looking ahead for the night. We can definitely have

15   mobiles. What do you mean by mobiles?

16   THE WITNESS: So that is one of the methods of

17   production for us, how customers get their orders mobile

18   ordering ahead.

19   JUDGE RINGLER: Okay.

20   THE WITNESS: So they -- there's an app and customers

21   can order that way.

22   JUDGE RINGLER: Okay. Turn back on by 4:00 because

23   that's when we will be good staffing wise. What did you mean

24   by good staffing wise?

25   THE WITNESS: So at that point in time, because it

1 was a Sunday, and we close at 8:00 p.m., we probably had four

2 or five people from 4:00 o'clock on that would be able to cover

3 all methods of production at that time.

4   JUDGE RINGLER: Okay. If we can have them on

5 earlier, then I will have Sam contact you. What do you mean by

6 them?

7   THE WITNESS: Them is the mobile orders.

8   JUDGE RINGLER: Okay. All right. I -- I think I'm

9 satisfied. I understand what you were saying.

10   MS. SNELLING: Okay. Thank you.

11 BY MS. SNELLING:

12 Q.   And which Sam were you referring to in your text message?

13 A.   I was referring to Sam Amato.

14 Q.   Okay. Great. And Megan, you previously test -- testified

15 that you received a text message from Hannah later in that day,

16 do you see that text message on this?

17 A.   Yes, I do.

18 Q.   Okay. And so this was previously mentioned but did you

19 ever answer Hannah's question about whether you were the one

20 that closed the lobby?

21 A.   I did. I spoke with Hannah as previously mentioned on

22 Tuesday the 5th.

23 Q.   Okay. And where were you when you spoke with her about

24 that?

25 A.   I was -- we were standing in the doorway of the front of

1 house and back of house at the Tonawanda location.

2 Q.   Okay. And how did that conversation start?

3 A.   It was me thanking her for bringing in product, was

4 updated in those text messages before, and then I apologized to

5 her and I said, I'm sorry I didn't contact you about closing

6 the lobby. I thought I did what was best.

7 Q.   Okay. And what, if anything, did she say in response?

8 A.   In response is that she told me that I needed to contact

9 her if, for any of those types of decisions about needing to

10 close down the cafe, and that she would be calling partner

11 resources for next steps.

12 Q.   And what, if anything, did you say in response to that?

13 A.   I said that I was sorry and that I took responsibility for

14 what I did and that if I had needed to be written up, that was

15 what needed to happen.

16 Q.   And is there anything else from this conversation that you

17 remember?

18 A.   On that day? No. That we just went on as business as

19 usual.

20 Q.   Did you speak to her about closing the lobby, sometime

21 after this again?

22 A.   I did. So after she told me that she was going to call

23 partner resources within a week, we had another conversation,

24 she told me she'd gotten a hold of partner resources explain

25 the situation and then I would need to be written up and they

1 said, okay, that's, you know, consequences of my actions.

2 Q.   Okay. And where were you when that -- when you had that

3 conversation with her?

4 A.   I was at DTO, which is drive through order taking, and she

5 was on the floor with me in the cafe.

6 Q.   Okay. And at that time did Hannah tell you -- you would

7 be terminated for closing the lobby?

8 A.   No, she did not.

9 Q.   Okay. And so she mentioned that you'd be written up.

10 Were you ever written up for closing the lobby?

11 A.   No, I was not.

12 Q.   Okay. How are individuals given write-ups at Starbucks?

13   MR. BALSAM: Objection this witness cannot testify to

14 the way that individual partner issue write ups across.

15   JUDGE RINGLER: I'll sustain that. Sustained. You

16 don't need to answer that. Okay. Okay. So -- and counsel, I

17 have a lot of people, and I'm sure I'm going to have other

18 people that have testified about two managers being there and

19 then meeting on the patio or meeting in the lobby. So, you

20 know, if it's something -- if it's that, I probably don't need

21 it at this point.

22   MS. SNELLING: Okay.

23   JUDGE RINGLER: If it's something else, then, you

24 know, let's -- let's focus on that.

25   MS. SNELLING: Okay.

1   JUDGE RINGLER: Okay.

2   BY MS. SNELLING:

3   Q.   Okay. Megan, have you ever been disciplined by Starbucks?

4   A.   Not to my knowledge, no.

5   Q.   Okay. Megan, in the month of July, did you reduce the

6   hours that you worked at Starbucks?

7   MR. BALSAM: Objection, vague as to the year you are

8   talking about?

9   BY MS. SNELLING:

10   Q.   July of 2022, did you reduce the hours that you worked at

11   Starbucks?

12   A.   Yes. So in July of 2022, I was going to be -- I had

13   initially put in my two weeks' notice, and then I had a

14   conversation because I had another job and I had a conversation

15   with Hannah about that she would love to keep me on. And so I

16   decided to stay on with Hannah on Tuesday mornings and Sunday

17   mornings.

18   Q.   Okay. And so remind us at that time, how many days of

19   work -- days a week were you working?

20   A.   I was working there five days a week prior to that, and

21   then I would say towards the end of July, beginning of August,

22   that's when I started going down to Tuesdays and Sundays.

23   Q.   Okay. And so what if any, pushback did you receive for

24   reducing your hours?

25   A.   None that I know of. It was just business as usual for

1 me. Q. Okay. Megan, did Hannah ever create a new

2 disciplinary policy while you worked there?

3 A. Yes. So there was a disciplinary action. She called it

4 the Three Strikes Rule.

5 Q. Okay. What is the three Strikes Rule?

6 A. So the three strikes rule was if we had to coach you for a

7 third time on something, like closing, keeping your ice bins

8 closed, or keeping rags and buckets, milks in your fridge,

9 things like that. If I had to coach you for a third time, I

10 was to hand the barista or partner, an iPad and said, sorry,

11 you're going home.

12 Q. Okay. So what position within the store was enforcing the

13 three strikes rule?

14 A. So it was on --

15   MR. BALSAM: Objection, vague.

16   JUDGE RINGLER: So what position you're -- you're

17 suggesting manager versus shift supervisor is what you're

18 asking?

19   MS. SNELLING: Yes.

20   JUDGE RINGLER: Okay.

21   MS. SNELLING: Who is supposed to be applying to.

22   JUDGE RINGLER: I'll allow the question. Go ahead.

23 BY MS. SNELLING:

24 A. Okay. So for the three strikes rule, it was the shift

25 supervisors who were supposed to be using that rule with the

1 baristas. And Hannah was the one who was enforcing the shift

2 supervisors to enforce the three strikes rule to the baristas.

3 Q. Okay. And how did you learn of this rule?

4 A. It was something that Hannah had brought up to us

5 individually as shift supervisors, and at one of our shift

6 supervisor meetings she discussed what she meant by that role.

7 Q. Okay. And when was this meeting where this rule was

8 introduced?

9 A. It was -- took place in June of 2022.

10 Q. Okay. And for context, was that at the Tonawanda

11 location?

12 A. Correct.

13 Q. Okay. Had you ever heard rule prior to Hannah

14 implementing it?

15 A. No, I have not.

16 Q. And is this rule somewhere in the Starbucks partner guide?

17 MR. BALSAM: Objection. Witness testified she's

18 never heard of it so.

19 JUDGE RINGLER: Sustained.

20 BY MS. SNELLING:

21 Q. So Megan, how would you characterize the impacts of this

22 rule?

23 MR. BALSAM: Objection, relevance.

24 MS. SNELLING: Your Honor, it's argued in the

25 complaint that this was a retaliatory policy, so I would like

1 to explore the impacts.

2   JUDGE RINGLER: Okay. I'll allow it.

3 BY MS. SNELLING:

4 Q. Okay. So how would you characterize the impacts of this

5 rule on your store?

6 A. Well, the shift supervisors most of us gave her pushback

7 on the three strikes rule. We were already working short

8 staffed, so having to send somebody home because they had to

9 remind them for a third time to keep their ice bin closed in

10 summertime when they're making drinks as fast as they possibly

11 can.

12   Just seemed silly to short staff us by doing that.

13 And I do know that some shift supervisors, I don't know what

14 their conversations were, but I do know that they went to

15 Hannah with some of their complaints about that rule and maybe

16 other things too. But like I said, I'm not privy to those

17 conversations.

18   I had my own conversation with Hannah about that.

19 I'd try it, but it just doesn't seem like it's going to work.

20 She mentioned to me that sending somebody home for using the

21 three Strikes rule would just kind of show how serious we were

22 about this and that people wouldn't be making those mistakes

23 again as to not get sent home.

24 Q. Okay. And -- and prior to this rule, would you send

25 Barista's home for the things that you had to send people home

1   under the three strikes rule?

2   A.   No, the only time I ever sent barista's home for illness

3   or if they were just not living up to Starbucks missions and

4   values.

5   Q.   Okay. I know you mentioned individual -- an individual

6   meeting you had with Hannah. Did you have a collective meeting

7   with Hannah about this rule?

8   A.   We did again, we had a shift supervisor meeting in July of

9   2022. And again, we did bring up the three strikes rule and

10   how we just -- it just seemed silly to implement. And that

11   maybe there was a better idea. And so that was part of the

12   meeting was trying to come up with a better solution to

13   coaching our, our partners.

14   Q.   Okay. And where did this meeting take place?

15   A.   It took place in the cafe of the Tonawanda location.

16   Q.   Okay. And what if anything, did Hannah say to the group's

17   concerns?

18   A.   From what I remember is that the reason why she did the

19   three strikes policy is she just wanted everybody to know that

20   this was, you know, this is your job, this is what you should

21   be doing. We're not doing anything new. We're not rewriting

22   the, you know, what -- reinventing the wheel, I guess, really

23   is what it was. And --

24   Q.   Megan, did you agree with that statement that they weren't

25   doing anything new?

1 A.   No, I didn't agree with that. Because three strikes rule,

2 like I said, not something I've heard before. I understood to

3 an extent what she was trying to get at. But the rule itself

4 just seemed silly, because again, being short-staffed and

5 sending people home when you're already short-staffed, just

6 like shooting yourself in the foot.

7 Q.   Okay. So Megan, did you ever work with someone named

8 Tatiayna Gurskiy?

9 A.   Yes, I did.

10 Q.   Okay. And what position did she have at Starbucks?

11 A.   Tati was a shift supervisor.

12 Q.   Okay. And how frequently would you work with Tati?

13 A.   At least three days a week.

14 Q.   Okay. And what was your experience working with Tatiana?

15   MR. BALSAM: Objection relevance.

16   THE WITNESS: We --

17   JUDGE RINGLER: Go ahead.

18   MR. BALSAM: This individual can't assess shift

19 supervisor performance. She's not a manager.

20   JUDGE RINGLER: I think to the extent she knows the

21 same way. You might judge a -- a good lawyer and say, Hey, you

22 know, I -- I -- my standards, this person has their standards.

23 I think they're better. I think they're worse. I think

24 they're, you know, something to look up to. I think a shift

25 supervisor could go through the same exercise, so I'll allow

1 it.

2 BY MS. SNELLING:

3 A.   Okay. So Tati was -- I feel she did very well as a shift

4 supervisor. She was always willing to learn and always learned

5 from mistakes as well, and she never had an issue with going to

6 a manager if she had questions. So, in that regards learning

7 and making herself a better shift supervisor in doing that. I

8 think she just showed like really what it meant to be a shift

9 supervisor.

10 Q.   Okay. Does Tatiana still work for Starbucks?

11 A.   No, she does not.

12 Q.   And why not?

13 A.   She was terminated.

14 Q.   Okay. And how do you know she was terminated?

15 A.   A fellow shift supervisor had mentioned to me because I

16 had asked a shift that I was supposed to work with Tatiana

17   MR. BALSAM: Objection, hearsay. Move to Strike.

18   JUDGE RINGLER: Is it -- is it in dispute that she

19 was fired?

20   MR. BALSAM: Circumstances of her termination that

21 she heard from a fellow --

22   JUDGE RINGLER: No, she just said she heard from a

23 fellow shift supervisor.

24   MR. BALSAM: And she shouldn't explain the details of

25 what was happening.

1   JUDGE RINGLER: I don't know that she is, I think she

2 was just saying she would --

3   THE WITNESS: I was just saying I heard from a shift

4 supervisor that --

5   JUDGE RINGLER: She was fired.

6   THE WITNESS: She was terminated. Yeah. Not the

7 circumstances.

8   JUDGE RINGLER: Limited to -- yeah. Circumstances

9 were related to you.

10   THE WITNESS: Yeah. I don't --

11   JUDGE RINGLER: Not say that.

12   THE WITNESS: I don't know what the circumstances

13 are.

14   JUDGE RINGLER: Okay.

15   THE WITNESS: Just that she was let go.

16   JUDGE RINGLER: Okay.

17 BY MS. SNELLING:

18 Q. Okay. And do you know whether Tatiayna appealed her

19 termination?

20 A. Yes, she did.

21 Q. Okay. And did you help her in her field process?

22 A. Yes. The shift supervisor that had mentioned to me that

23 Tatiayna had been terminated, let me know that --

24   MR. BALSAM: Objection hearsay. She's talking about

25 a conversation with someone else.

1   JUDGE RINGLER: Well, let me -- let me just hear what

2   we've got to say and then you could review your objection once

3   the testimony is done.

4   THE WITNESS: So the chief supervisor who mentioned

5   her termination said that she was asking for people to, Tati

6   was asking for people to write letters for her appeal. And so

7   I messaged Tati directly and I asked her, would you like me to

8   write you a letter?

9   JUDGE RINGLER: Okay. So I'll allow the testimony

10 and not for its truth, just for the fact that it was said. So

11 I'll -- we'll -- we'll leave that.

12 BY MS. SNELLING:

13 Q.   Okay. And, did you then write a statement for Tatianya?

14 A.   Yes, I did.

15 Q.   Okay. And did you give that statement to her?

16 A.   Yes. So I wrote the letter.

17   MR. BALSAM: Objection, move to strike, non-

18 responsive to the question.

19   JUDGE RINGLER: Okay. So the question was, did you

20 give the letter to Tati? It's really yes or no?

21   THE WITNESS: Yes, yes I did.

22   JUDGE RINGLER: Okay. So sustained on the objection,

23 I think we clarified on the record. Thank you.

24 BY MS. SNELLING:

25 Q.   And Megan, how did you give it to Tati?

1 A.   I emailed her the letter.

2 Q.   Okay. And do you still have that email?

3 A.   Yes, I do.

4 Q.   Okay. And if I showed it to you, would you recognize it?

5 A.   Yes, I would.

6 Q.   And within that email was there an attachment?

7 A.   Yes it was.

8 Q.   And what -- what was that Attachment?

9 A.   The letter.

10 Q.   Okay. Great. And if I showed that to you, would you

11 recognize it?

12 A.   Yes, I would.

13 Q.   Okay.

14   MS. SNELLING: Your Honor, I'm distributing what has

15 been marked as 43A and B.

16   JUDGE RINGLER: All right. Okay. Thank you.

17 BY MS. SNELLING:

18 Q.   Looking at 43A, Megan, do you recognize that?

19 A.   Yes, I do.

20 Q.   Okay. And what is 43A?

21 A.   It is a screenshot of the email that I sent to Tati.

22   (General Counsel's Exhibit GC-43A identified.)

23 Q.   Okay. And with the -- within this email, do you see the

24 attachment that you were just mentioning?

25 A.   Yes, I do.

1 Q. Okay. And how do you know that you sent this to Tati?

2 A. In the -- to section has her name on there.

3 Q. Okay. And where is your email on this?

4 A. It was sent from my phone. It's my name right there at

5 the top.

6 Q. What is the email that you -- what is the email address

7 that you sent this email through?

8 A. It was through my Gmail account. Do you need the full?

9 Q. Sure.

10 A. It's, mng1489@gmail.com.

11 Q. Okay. Great, and then looking at the 43(b) do you

12 recognize that?

13 A. Yes, I do.

14 Q. Okay. And what is this?

15 A. So that was just a letter that I wrote to basically just

16 talk about the character of Tati.

17 Q. Okay. And, are both the -- is the email a true and

18 accurate copy of the email that you sent to Tati?

19 A. Yes, it is.

20 Q. And is this letter a true and accurate copy of the letter

21 that you sent to Tati?

22 A. Yes. It is.

23   MS. SNELLING: Okay. I move for admission of GC

24 Exhibit 43A and B into the evidence.

25   JUDGE RINGLER: Counsel?

1   MR. BALSAM: Judge, I object to the introduction of

2   this document to evidence. There's no relevance at all to this

3   proceeding she just testified by the way, that she wasn't aware

4   of reason for Tatiayana Gurskiy's separation, the fact that she

5   wrote a letter supporting the individual has no bearing on the

6   under lying case and there I move for it not to be admitted

7   into evidence as irrelevant.

8   JUDGE RINGLER: So -- so I'm at a disadvantage

9   because we haven't had the Gursky testimony yet. So why don't

10   you explain to me the -- the relevance of this to make it, I

11   think I understand, but I shouldn't make assumption. So --

12   MS. SNELLING: Yes.

13   JUDGE RINGLER: Go ahead.

14   MS. SNELLING: And, so one, Your Honor --

15   JUDGE RINGLER: Do you want me to have the witness

16   excused?

17   MS. SNELLING: I just forgot to say, do you want to

18   have the witness leave?

19   JUDGE RINGLER: Okay. So if you would --

20   MS. SNELLING: Yeah.

21   JUDGE RINGLER: The reason being, we don't want any

22   allegation that you're saying what you heard as opposed to what

23   you recall when you come back. So give us two minutes, but

24   don't go too far away.

25   THE WITNESS: Okay. I'll be right outside the door.

1   JUDGE RINGLER: Then we'll get you back. Thank you

2   so much. Okay. Okay. Our witnesses is out of the courtroom.

3   So what is the -- what is the relevance?

4   MS. SNELLING: Okay. Yes. So, Your Honor, Tati will

5   testify most likely tomorrow, that she did do an appeal and

6   that she did receive this character statement from Megan, and

7   also it goes to that she was in our opinion and -- and making

8   our case that she was wrongfully terminated. And the

9   circumstances of her termination was that she got into an

10   argument. So this is going directly to Tati, who Tati was and

11   -- and you know --

12   JUDGE RINGLER: Right. Her workplace.

13   MS. SNELLING: Right.

14   JUDGE RINGLER: Conduct and her -- her perception of

15   also how she was as a coworker.

16   MS. SNELLING: Tati will be able to confirm tomorrow

17   that she did receive these and it was a part of her appeal

18   package that she submitted to Starbucks Corporation.

19   JUDGE RINGLER: Yeah, no, I think that the -- the,

20   the -- the objection is more relevance based. Correct?

21   MR. BALSAM: Correct. The appeal is not an issue in

22   this case. Right? Once again, I'll reiterate my point of case

23   before that this witness' assessment for coworker's performance

24   and the underlying issues around her recommendation is

25   completely irrelevant. She wasn't a decision maker to the fact

1 that she's providing a character reference for her colleague.

2 It doesn't have any basis in this case.

3   It -- there has no bearing to your ultimate decision

4 making in this case. And it's beyond that. It's also

5 cumulative. The witness had also already testified to the

6 substance of this document that she thought that her colleague

7 was a good employee.

8   So I don't know why we need this document also. And

9 so I would object on relevance grounds and also on the fact

10 that it's cumulative.

11   MS. SNELLING: Your Honor, if it's cumulative, then

12 we can strike Megan's testimony about you know, what she

13 thought of Tati's character and put this evidence in, instead.

14 So that, that is not necessarily cumulative.

15   JUDGE RINGLER: Well, it doesn't work like that.

16   MS. SNELLING: Okay. Thought I'd give it a try.

17   JUDGE RINGLER: It's a good thought. It's definitely

18 a good thought.

19   MR. BALSAM: Your Honor, these are also going to be -

20 -I mean, these are business records, right? This is part of

21 her appeal process.

22   MR. GOODE: This document is not business record.

23   MR. BALSAM: It's maintained

24   MR. GOODE: By itself is not a business record.

25   MR. BALSAM: Starbucks will have this already.

```
1              JUDGE RINGLER:  Okay.

2              MR. BALSAM:  And they're part of --

3              JUDGE RINGLER:  And so let me --

4              MR. BALSAM:  -- the appeal process.

5              JUDGE RINGLER:  Let me -- let's not go back and forth
```
because that never brings us to like a, a good spot candidly.
You are also going to have Ms. Gurskiy testify --
```
8              MS. SNELLING:  Yes.

9              JUDGE RINGLER:  As well.

10             MS. SNELLING:  Yes.

11             JUDGE RINGLER:  And she's going to -- I assume she's
```
going to testify that I provided this letter to Starbucks?
```
13             MS. SNELLING:  Yes.

14             JUDGE RINGLER:  All right.  So let me -- we're going
```
to just put this one on hold. Okay. And I'll have you tie it
up tomorrow and then I'll -- I'll rule on it at that point,
because if it's presented then to Starbucks, then that -- that
might in fact be something else. But we did build a foundation
through this witness, so I'm going to handle it that way. So
at this point it's been offered, I haven't ruled on it. So --
and I'll make a note that you're going to deal with that during
the Gurskiy testimony.
```
23             MS. SNELLING:  Yes, Your Honor.

24             JUDGE RINGLER:  Okay.  So let us now bring her back,
```
please. We'll continue. Okay. Thank you for your patience

```
 1   with us.

 2            THE WITNESS:  Yes, of course.

 3            MS. SNELLING:  And so I have no further questions for

 4   this witness at this time.

 5            JUDGE RINGLER:  Okay.  Okay.  Very good, counsel?

 6            MR. HAYES:  No, no questions.

 7            JUDGE RINGLER:  No questions.  All right, jenk

 8   statements?

 9            MS. SNELLING:  It is seven pages, Your Honor.

10            JUDGE RINGLER:  Okay.  Perfect.  So let's see what

11   time we've got, so why don't we reconvene at 10:20?

12            MR. BALSAM:  Sounds good.  Thank you, Judge.

13            JUDGE RINGLER:  All right, thank you as well.  So

14   we're off the record until that time.  Feel free to walk

15   around, just don't discuss your testimony with anyone.

16            THE WITNESS:  Okay.

17            JUDGE RINGLER:  And we'll see you at 10:20.

18            THE WITNESS:  All right.

19            JUDGE RINGLER:  Or before

20   (Brief recess at 10:03 a.m./Reconvened at 10:20 a.m.)

21            JUDGE RINGLER:  One moment, we're ready.  Okay.

22   Good.  Go to it.

23            MR. BALSAM:  Great.

24                         CROSS EXAMINATION

25   BY MR. BALSAM:
```

1   Q.   Good morning.

2   A.   Morning.

3   Q.   You and Mr. Amato are good friends, correct?

4   A.   Yes, we are.

5   Q.   Do you still keep in touch with Mr. Amato?

6   A.   Yes, I do.

7   Q.   All right. Would you lie for Mr. Amato?

8   A.   No.

9   MS. SNELLING: Objection. You just asked that the

10 witness lied on the stand when --

11   MR. BALSAM: I did not. I said, would you lie? I

12 didn't say she did.

13   JUDGE RINGLER: She said no. I'll -- I'll leave the

14 testimony in.

15 BY MR. BALSAM:

16 Q.   Do you remember giving an affidavit to the National Labor

17 Relations Board in connection with this case?

18 A.   Yes, I do.

19 Q.   Okay. In paragraph 18 of that affidavit, you wrote, I

20 texted Sam saying I was sorry to hear he was fired. Sam told

21 me he was filing appeals through the Starbucks, through

22 Starbucks complaint, to appeal his termination, and also file

23 for an appointment. Sam asked me, I could -- if he could say

24 that I was the one who closed the lobby in the appeal support,

25 do you remember writing that?

1 A.   Yes, I did.

2 Q.   Why would Sam ask you the lobby -- if you could use your

3 name as the one who closed, the lobby if you had already, you

4 were the one that closed, the lobby. Why would he have to ask

5 that?

6 A.   Because he wanted to know if I wanted my name attached to

7 his appeal or if he wanted to leave me out, or if I wanted him

8 to leave me out of it.

9 Q.   And it wasn't because he was the one who actually closed

10 it, not you?

11 A.   No, I -- I'm sorry.

12 Q.   Did you have any conversation prior to you submitting this

13 affidavit about who actually made the decision to close the

14 lobby?

15 A.   No.

16 Q.   At no point in time did Sam ask you to take the fall for

17 him closing the lobby?

18 A.   No.

19 Q.   Turning to your attention to the date in question July

20 3rd, when did you -- when -- when did your shift end that day?

21 A.   It was supposed to be between 1:00 and 1:30 that I was

22 supposed to leave. I don't recall the exact time.

23 Q.   Okay. When would Mr. Amato supposed to start his shift?

24 A.   He was supposed to start a half hour before I was supposed

25 to leave.

1 Q.   And what is the reason why Starbucks had shift supervisors

2 overlap in terms of shifts?

3 A.   Normally it's for the handoffs, so we can let them know,

4 Hey, this is what's been going on. This is what you'll need to

5 do for later in the day, and so that way we can set the floor

6 up for success.

7 Q.   And so at the time that the lobby wasn't that closed, Sam

8 was the one who was the shift supervisor responsible for the

9 store, correct?

10 A.   I guess so, yes.

11 Q.   Yes. Right?

12 A.   Yes. Yeah.

13 Q.   Because you had already handed over the store to him for -

14 - to take control, right?

15 A.   Yes.

16 Q.   You testified earlier that on at least this one prior

17 occasion you had closed the lobby channel without obtaining

18 your manager's prior approval. Do you remember that testimony?

19 A.   Yes, I do.

20 Q.   And again, I'm drawing your attention back to the

21 affidavit that you provided to the National Labor Relations

22 Board in this case paragraph 14, where you say, I cannot recall

23 closing the lobby by myself without a manager or without being

24 told, except for on July 3rd. You remember that right now?

25 A.   Yes, I did. Yes, I do.

1 Q. Are you -- are you saying right now, you going to change

2 your testimony to comport with what you said previously

3 affidavit. Did you close -- have you closed the store prior to

4 July 3rd without a Azure approval?

5 A. Yes, I have.

6 Q. And when?

7 A. Like I said, it was probably sometime March, 2022.

8 Q. So then why did you write in your affidavit that you

9 couldn't recall another date? When did you become aware of

10 this other date that you're testifying to today?

11 A. It's just something I remember at the time when I wrote my

12 affidavit, I didn't remember it.

13 Q. So you wrote this affidavit on you -- you signed this

14 affidavit on April 6th, 23, which was 17 days ago. I'm sorry.

15 14 days ago, and you're saying your memory's better now than

16 almost 14 days ago about events that occurred in July of 23 or

17 22?

18 A. Yeah.

19 Q. Yeah?

20 A. Yeah.

21 Q. Now, who was your manager in March of 22 when you closed

22 the channel without prior approval?

23 A. Her name was Amy. I don't recall what her last name was.

24 She was one of the managers that had come in from out of town

25 to help the support managers.

1 Q.   Was Amy in the store when the store was closed, the

2 channel was closed?

3 A.   No, she was not.

4 Q.   Okay. Did you ever tell Amy that you had closed the

5 channel?

6 A.   She came in later that day and I let her know that.

7 Q.   Okay. And what was Amy was responsible when you told her

8 that you had closed the channel without obtaining prior

9 approval?

10 A.   She just said, okay.

11 Q.   That was it?

12 A.   Yeah, it was.

13 Q.   And Amy's not the same manager as Hannah, correct?

14 A.   No, she's not.

15 Q.   And when does Hannah start working yet at Tonawanda, no

16 Shariden and Bailey?

17 A.   So again, I started working with them she was a store

18 manager in. So she came over sometime, I want to say January

19 of 2022.

20 Q.   Okay. And at any point in time, isn't it true that at no

21 point in time Hannah told you that you could close a channel

22 without her prior verdict, correct?

23 A.   You rephrase that?

24 Q.   Sure. At no point in time did Hannah ever tell you that

25 you can close a channel without her prior verdict, correct?

1 A.   Correct.

2 Q.   But yet you, you did it anyway, according to your, your

3 testimony that you said you were the one who made the decision

4 to close the lobby, correct?

5   MR. GOODE: Objection, asked and answered.

6   JUDGE RINGLER: I'll allow it. You can answer. He's

7 asking you yes you closed the lobby, no you didn't close the

8 lobby.

9 BY MR BALSAM:

10 A.   Yes, I closed the lobby.

11 Q.   And you did it knowing that you were doing it in violation

12 of policy, correct?

13 A.   No.

14 Q.   I just asked you if you -- you -- you knew that you were

15 required to require people to close the channel, and you said,

16 A.   No, I'm sorry, then I misunderstood your question.

17   MR. GOODE: Objection. That was not the question.

18   JUDGE RINGLER: Why don't you ask your question

19 again? I think she's --

20   THE WITNESS: I'm -- I'm a little bit confused of how

21 you're asking.

22 BY MR. BALSAM:

23 Q.   As I understand your testimony.

24 A.   Okay.

25 Q.   You were not aware or you did not believe that you have a

1 right to close a channel without obtaining prior approval to do

2 so, correct?

3 A. No, I'm --

4 Q. As a shift supervisor, are you able to close a channel

5 without prior approval?

6 A. As far as I'm aware. Yes.

7 Q. And the text message that you provided to us, which is GC

8 Exhibit 41, you -- you said that Hannah wrote to you. How's it

9 going? Your response was, Hey Hannah, I was looking ahead for

10 the night.

11   We can definitely have the mobiles turned back on by

12 4:00 cause that's when we'll be good. Staffing wise, as I

13 understood your testimony from before you contacted Hannah in

14 advance of closing mobile -- the mobile channel to let her know

15 you were doing that. Is that correct?

16 A. We are --

17 Q. Is that correct?

18 A. Yes.

19 Q. Why did you call her in advance of closing the channel if

20 you didn't have an obligation to do it?

21 A. Because we as shift supervisors have -- don't have the

22 ability to turn off the mobile orders. Only store managers do.

23 Q. Okay. So your testimony is that you could close the lobby

24 because you had the physical ability to do that without

25 notifying a manager first?

1 A. Correct.

2 Q. And that's based on what?

3 A. Based on previous experience.

4 Q. The one experience that you testified to occurring in

5 March of 22?

6 A. Yes, I was --

7 Q. Which -- which contradicts your affidavit, correct?

8 A Yes, it does.

9 Q. If -- if you knew that you could close a channel without

10 obtaining prior management approval, why did you then apologize

11 to Hannah out for doing that?

12 A. I apologized because she was upset.

13 Q. Why was she upset?

14 A. Because I closed the channel without letting her know.

15 Q. So you knew at the time -- how did you know that she was

16 upset? Just before, before you spoke to her in person on July

17 5th?

18 A. Oh, no. I didn't know if she was upset or not.

19 Q. Okay. So when -- what did you think she meant when she

20 wrote, did you make the decision to close down the lobby

21 without my permission today?

22 A. Exactly what she said.

23 Q. Okay. So why would she be asking you or suggesting that

24 she needed to, you needed to get her permission before closing

25 down the channel?

1   MS. SNELLING: Objection. He's asking her to

2   speculate to Hannah's thought process.

3   JUDGE RINGLER: Sustained.

4   BY MR. BALSAM:

5   Q.   You testified about shift supervisor by the name of Renee?

6   A.   Mm-hmm.

7   Q.   What's Renee's last name?

8   A.   I could probably spell it for you. I can't pronounce it.

9   Q.   Where's Renee's supervisor?

10   A.   Sheridan and North Bailey.

11   Q.   Okay. And she -- is Renee still employed by Starbucks?

12   A.   Yes, she is.

13   Q.   Okay. And you said that Renee had closed down the -- the

14   lobby channel under similar circumstances as your testimony

15   occurring on to her, correct?

16   A.   Correct.

17   Q.   How do you know that?

18   A.   Because I had gone into the store using my key the day

19   that she had done it.

20   Q.   Okay. And how do you know that she was not disciplined

21   for closing down the -- the lobby?

22   A.   She never mentioned to me that she was disciplined for it,

23   so she was -- I don't know.

24   Q.   You don't know?

25   A.   Yeah.

1 Q.   Do you know whether Renee asked for prior approval before

2 she closed down the lobby?

3 A.   No.

4 Q.   Okay. So -- and how, is it a similar circumstance to what

5 you did or Sam did on July, July 3rd?

6 A.   I don't know.

7 Q.   You don't know, right?

8 A.   Yeah.

9 Q.   You -- there was some discussion about how you reduced

10 your hours in July 22, correct?

11 A.   Correct.

12 Q.   Okay. And you said that Hannah said, and at that point in

13 time you had already notified Starbucks of your intention to

14 leave and take another job, correct?

15 A.   Correct.

16 Q.   Okay. So when did you first move by Starbucks of your

17 intent to leave?

18 A.   It was probably the last week of June.

19 Q.   Okay. So before the July 30th then?

20 A.   Mm-hmm.

21 Q.   So at that point in time, you were already given your

22 notice that you were reporting Starbucks, correct? Yes?

23 A.   Correct.

24 Q.   So you have nothing to lose by taking the fall for closing

25 the store July 3rd, correct?

1   MS. SNELLING: Objection. Objection.

2   JUDGE RINGLER: Oh, it's cross-examinations. It's

3 appropriate.

4   MR. BALSAM: Judge, it goes to her credibility.

5   JUDGE RINGLER: Right. I'll -- I'll allow it.

6 BY MR. BASLAM:

7 Q.   And you have nothing to lose because you were leaving in

8 two weeks time. Getting a written warning really doesn't make

9 any difference to you, correct?

10   MR. GOODE: Objection. Asked and answered.

11 BY MR. BALSAM:

12 A.   It does to me because as a person, I didn't want to be

13 written up for something that I shouldn't be written up for.

14 Nobody likes to get in trouble.

15 Q.   At that point in time you already notified Starbucks, that

16 you were leaving in June, correct?

17 A.   Yes.

18 Q.   But you mentioned that even after you notified Hannah or

19 Starbucks of your intention to leave Hannah said that she loved

20 you and wanted to work with you, so you would stay correct. Is

21 that the testimony, correct?

22 A.   Yes. Yes.

23 Q.   Okay. And then as a result, you reduced your availability

24 to two days a week, is that correct?

25 A.   Correct.

1 Q. Tuesdays and Sundays?

2 A. Yes.

3 Q. All right. And you said that you were able to do that

4 without any issue?

5 A. Correct.

6 Q. Isn't it true that the reason why you were able to reduce

7 your availability to two days per week, was because that

8 particular store was able to accommodate that reduced

9 availability?

10 A. Yes, they were.

11 Q. Okay. Have you -- are you aware of a situation where

12 individuals who have tried to reduce their availability at your

13 store were not able to cause of the operational needs of the

14 store?

15 A. No.

16 Q. But that's -- that's the situations under which a partner

17 would not be able to reduce their availability. The operations

18 of the store wouldn't be able to accommodate it, correct?

19 A. Correct.

20 Q. And that's been the case for all the years that you've

21 worked at Starbucks?

22 A. Correct.

23 Q. And Hannah, you -- you testified that you were a outspoken

24   MS. SNELLING: objection. Her name is Megan.

25   MR. BALSAM: I'm sorry, Megan. Thank you.

1 BY MR. BALSAM:

2 Q. Megan, you testified that you were an outspoken supporter

3 of the Union, correct?

4 A. Yes.

5 Q. From the beginning of the campaign?

6 A. Not from the beginning. No.

7 Q. When did you start becoming a supporter of the Union?

8 A. When I knew more about it.

9 Q. Okay. And that -- when was that?

10 A. That was during the fall slash winter of 2021.

11 Q. Okay. And so for several months, the time that you became

12 a supporter of the Union, you made a note to Starbucks until

13 the time of your decision to leave Starbucks, I'm sorry, until

14 July of 23, I think it's right that you were still, you -- you

15 left Starbucks and came back, is that what --

16 A. January of 2023. Yeah. Right.

17 Q. You were never subject to any type of discipline?

18 A. No, I was not.

19 Q. Now talking about Hannah's so-called three strike rule

20 that she implemented, you said that you notified Hannah on

21 various occasions about how you thought the three strike rule

22 was silly and that we should come up with a better way to deal

23 with infractions or violations of company policy, correct?

24 A. Correct.

25 Q. And I believe your testimony was that prior to this rule,

1 you would not send people home for violations of the so called

2 three strike rules, but that you would send home partners for

3 not adhering to Starbucks values, correct?

4 A.   Correct.

5 Q.   Now remind me, what were the infractions that Hannah

6 purportedly told you would warrant coaching under the three

7 strike rule?

8 A.   Some of those infractions would be not keeping an ice bin

9 lid closed not keeping milks in the bridge keeping rags on the

10 counters, basically anything that was to behavior that we

11 needed to coach. Right.

12 Q.   Didn't Starbucks have policies relating to cleanliness in

13 the store?

14 A.   Yes.

15 Q.   And aren't partners disciplined for not adhering to safety

16 and cleanliness standards?

17 A.   Yes.

18 Q.   So how is that any different than what Hannah was telling

19 you?

20 A.   The only difference was is that instead of just being

21 pulled aside and spoken to about it, they were being sent home.

22 Q.   But that would be after three strikes, correct?

23 A.   Correct.

24 Q.   All right. And so in a situation where a partner, for

25 example, violates Starbucks health and safety standards,

1 wouldn't they also be sent home?

2 A.   I guess it would depend on the situation.

3 Q.   But there are situations in which a partner would be sent

4 home for violating Starbucks health and safety standards, which

5 would include, for example, not properly storing food along

6 those lines, correct?

7 A.   I've never had somebody sent home from that, but short.

8 Q.   But you've had partners being sent home for violating

9 various Starbucks policies, correct?

10 A.   Correct.

11 Q.   Including various health safety standards?

12 A.   Correct.

13 Q.   You have, correct?

14 A.   If you're talking about I working with an illness, then

15 yes.

16 Q.   Okay. What about food storage and preparation?

17 A.   Food storage and preparation. I've never heard anybody

18 sent home for that.

19 Q.   Are you aware of anyone who has been sent home for that?

20 A.   No.

21 Q.   At Starbucks?

22 A.   No.

23 Q.   And again, even though you were an outspoken critic to

24 Hannah of the so called three strike rule, at no point in time

25 did you receive any discipline?

1 A.   No.

2 Q.   Going back to the date July 3rd when the lobby channel was

3 closed, so the cafe was closed. If the store was so busy, why

4 did you not close that channel earlier in the day?

5 A.   Because we did have more than three people working at the

6 time, but then people were going home, so there was only three

7 of us on the floor.

8 Q.   But Mr. Amato had arrived, so you did have another person

9 there, correct?

10 A.   Well, I had to send somebody on their lunch, and then I

11 was supposed to be leaving, so I stayed later than I was

12 supposed to that day. So it stayed at three people.

13 Q.   But you had already turned mobile ordering off prior to

14 this so that were already produced more than the other

15 channels. So at this point in time, you produced it now to

16 just drive through?

17 A.   Correct.

18 Q.   Didn't that already alleviate the issue of being able to

19 accommodate the customer?

20 A.   No. Well, so July 3rd, like I said, because it's a

21 holiday, we had large groups of families and large orders

22 coming through both sides of the production channel. So

23 through drive-through and through the cafe with only three

24 people, it's hard for one person to keep up with making six

25 drinks per order and one person taking orders and taking care

1 of the customers at the window with their pain, and also having

2 to cook the food. So there was no one to do the dishes and

3 make backups should we need them as it was a holiday weekend

4 and summertime.

5 Q.   Neither yourself nor Mr. Amato got prior permission to

6 close down the cafe?

7 A.   No, we did not.

8   MR. BALSAM: Give me one moment, Judge?

9   JUDGE RINGLER: Yes.

10 BY ME. BALSAM:

11 Q.   While you were a shift supervisor under Hannah, did you

12 ever send home a partner for violating the three strike rule?

13 A.   Yes, I did. I believe I sent home her name is Brittany.

14 Q.   What's Brittany's last name?

15 A.   I know it starts with an L. She no longer works for

16 Starbucks.

17 Q.   What was the reason why you sent home, Brittany?

18   MS. SNELLING: Objection, relevance.

19   JUDGE RINGLER: I think we have the application of

20 this alleged policy, so I'll -- I'll allow it. Go ahead. You

21 could say what the circumstances were.

22 BY MR. BALSAM:

23 A.   I sent Brittany home, because it was more than three

24 times, but keeping her ice bin closed.

25 Q.   And I'm sorry you don't recall when you did this?

1 A.   It was definitely sometime in summer of 2022 while we were

2 at the Tonawanda location.

3 Q.   But as you just testified, she kept the ice bin open more

4 than three times, correct?

5 A.   Yeah.

6 Q.   So there wasn't an -- an enforcement of a Starbucks three

7 strike, correct?

8 A.   Yeah, I did it properly after the -- correct.

9 Q.   And that's the only partner to your recollection

10 throughout the entire time that you worked at that location

11 that you --

12 A.   Implement --

13 Q.   Sent any -- any partner home for multiple infractions that

14 he did?

15 A.   Correct.

16 Q.   So there was some testimony about your friendship with

17 Tatiayna Gurskiy. Do you remember that?

18 A.   Mm-hmm. Correct.

19 Q.   You said she was a shift supervisor and you worked with

20 her a few days per week?

21 A.   Correct.

22 Q.   And testified that you became aware that she was

23 terminated. Were you present on the day in which she was

24 terminated at work?

25 A.   No, I was not.

1 Q.   Were you present when Tatiayna engaged in the conduct that

2 formed the basis of her separation?

3 A.   No, I was not.

4 Q.   And in fact, you have no idea why Tatiayna was separated?

5 A.   No, I did not.

6 Q.   Do you know Tatiayna had received discipline prior to her

7 separation?

8 A.   Not that I'm aware of.

9   MR. BALSAM: Nothing further.

10   JUDGE RINGLER: Okay. Redirect?

11   MS. SNELLING: Yes, Your honor.

12   REDIRECT EXAMINATION

13 BY MS. SNELLING:

14 Q.   Megan, so you mentioned that you had sent people or sent

15 barista's home prior to the three strikes rule being

16 implemented, what specifically would you send employees home

17 for?

18   MR. BALSAM: Objection asked and answered.

19   JUDGE RINGLER: I'll -- I'll allow it. go ahead.

20 BY MS. SNELLING:

21 A.   I would send people home for illness. So if somebody got

22 sick on the floor, or in the bathroom, whatever, what have you.

23 I also have sent people home because they're having bad mental

24 health day and so they were just not focused on work and so I

25 sent home them home for that.

1 Q. Okay. And so would you consider someone being sick as a

2 food safety issue?

3 A. Correct.

4 Q. Okay. You also testified that you sent someone home for

5 not closing the ice bin, prior to the three strikes rule, had

6 you sent someone home for not closing the ice bin?

7 A. No.

8 Q. Okay. Megan, what, if anything, did you wear in regards

9 to the Union while you were working?

10   MR. BALSAM: Objection. Asked and answered. She

11 testified she wasn't -- didn't wear a pin.

12   JUDGE RINGLER: I'll sustain that.

13 BY MS. SNELLING:

14 Q. Megan, did you wear a Union shirt while working?

15 A. No, I did not.

16 Q. Okay. And did you wear anything Union related besides a

17 pin or a shirt while working?

18   MR. BALSAM: Objection. Relevance. This witness has

19 already testified that she was an outspoken supporter of the

20 Union. What she wore is not relevant.

21   MS. SNELLING: Okay. I -- I wouldn't agree with the

22 outspoken characterization of her Union activity.

23   JUDGE RINGLER: I'll -- I'll permit the question.

24   MS. SNELLING: Thank you, Your Honor.

25   JUDGE RINGLER: Go ahead. So the question was,

1 beyond a pin or a Union t-shirt, did you wear anything else to

2 indicate support of the Union?

3   MS. SNELLING: Yes.

4 BY MS. SNELLING:

5 A.   No, I did not.

6 Q.   Okay. Thank you. And Megan, I think you mentioned that

7 you put in your two weeks towards the end of June, and then

8 after you put in your two weeks, the lobby closed on July 3rd,

9 because you closed it, when you closed the lobby, were you

10 strike that.

11   MS. SNELLING: Sorry, Your Honor. Can I take one

12 moment?

13   JUDGE RINGLER: Take a moment.

14   MS. SNELLING: Yeah.

15 BY MS. SNELLING:

16 Q.   After you put in your two weeks, how would you describe

17 your work ethic after you put in your two weeks at Starbucks?

18   MR. BALSAM: Objection, relevance.

19   MS. SNELLING: Your Honor, Respondent asked Megan if

20 she would have any incentive to close the lobby and go against

21 Starbucks standard after she testified that she put it in her

22 two weeks. So I would like to, not to testify to her actually

23 how she worked after she put in her two weeks.

24   JUDGE RINGLER: I'll sustain the objection.

25   MS. SNELLING: Okay.

1   JUDGE RINGLER: I mean, they rehire. Right. That --

2   that may say something right?

3   MS. SNELLING: Yes.

4   BY MS. SNELLING:

5   Q.   Okay. And Megan, after you put in your two weeks, did you

6   actually leave after two weeks?

7   A.   No, I did not.

8   Q.   Okay. And were you disciplined after I close the lobby?

9   A.   No, I was not.

10   Q.   Okay.

11   A.   To my knowledge.

12   Q.   Okay. And just to clarify, on July 3rd, how many

13   employees or what shift were you working that day?

14   A.   I was working the opening shift.

15   Q.   Okay. And so what time did that shift start?

16   A.   5:00 a.m.

17   Q.   Okay. And so when you started at 5:00 a.m., how many

18   people were scheduled to work?

19   A.   Probably at that time, in my morning shift I was probably

20   supposed to have a total of seven people throughout that

21   morning.

22   Q.   Okay. And how many people reported to work that day?

23   A.   Probably only four.

24   Q.   Okay.

25   A.   Maybe five.

1 Q.   Okay. And was that including yourself?

2 A.   Yes.

3 Q.   Okay. And so you mentioned that later it reduced to

4 three. At what point did it reduce to three employees?

5 A.   Probably reduced to three around 11:00 or 11:30. Because

6 that's normally when morning people would leave.

7 Q.   Okay. And you testified on cross that because of prior

8 experience you decided to close the lobby. What are those

9 prior experiences that you were referring to?

10   MR. BALSAM: Objection. Asked and answered. There

11 was one experience that she testified --

12   JUDGE RINGLER: Sustained.

13   MR. BALSAM: Which is questionable. I passed.

14   MS. SNELLING: Okay.

15   JUDGE RINGLER: I'll sustain the objection.

16 BY MS. SNELLING:

17 Q.   Is there any specific conversation that you recall that

18 led you to believe that you would close the lobby on July 3rd?

19   MR. BALSAM: Objection. Asked and answered.

20   JUDGE RINGLER: Let me hear your question again.

21   MS. SNELLING: This was brought back up again on

22 cross with, you know, asking Ms. Ms. Gillen why she thought

23 that she could close the lobby, and so were there any

24 conversations that you had with managers that led you to

25 believe you could close the lobby on July 3rd?

1   MR. BALSAM: Objection. Asked and answered.

2   JUDGE RINGLER: Yeah. That -- that was asked and

3 answered on direct.

4   MS. SNELLING: Okay. Okay. That's fine.

5   JUDGE RINGLER: I -- I just have a question, a point

6 that I -- I want to clarify, and it might be in the record. It

7 -- it might not be. With respect to the -- the call where you

8 sought permission to stop the mobile order, what time did you

9 make that call about?

10   THE WITNESS: I probably made that call sometime

11 between 8:30 and 9:00 a.m. most likely.

12   JUDGE RINGLER: Okay. And you might very well have

13 said it, but I'm not seeing it in my notes, so, okay, so mobile

14 order call about, you said 8:30?

15   THE WITNESS: Yeah, probably about 8:30 or 9:00 a.m.

16   JUDGE RINGLER: And so you folks were open. I -- I

17 guess what time was the store open?

18   THE WITNESS: 5:30 a.m.

19   JUDGE RINGLER: 5:30 a.m. So you were open from

20 5:30, 8:30 and you allowed mobile ordering then?

21   THE WITNESS: Correct.

22   JUDGE RINGLER: So what -- what changed that you

23 thought like you couldn't handle?

24   THE WITNESS: I do know -- one of -- I definitely had

25 a call off that day, if not two call offs. They were probably

1 people who were supposed to come in sometime between 9:00 and

2 11:00. And then I also had one of my 8:00 o'clock not show up.

3 JUDGE RINGLER: Okay. Okay. All right. Thank you.

4 THE WITNESS: I only call to have mobile shut off if

5 -- if we like, desperately needed it.

6 JUDGE RINGLER: Alright, thanks.

7 THE WITNESS: Correct.

8 JUDGE RINGLER: Counsel, are you squared away on your

9 redirect or do you have any more questions?

10 MR. SNELLING: A couple more questions.

11 JUDGE RINGLER: Okay. That's fine.

12 BY MS. SNELLING:

13 Q. So Megan, remind us your reasons for why you thought you

14 could close the lobby on July 3rd?

15 MR. BALSAM: Objection. This has been asked and

16 answered, sustained in different ways.

17 JUDGE RINGLER: Sustained. We've covered that.

18 MS. SNELLING: Okay.

19 JUDGE RINGLER: In great detail on her direct.

20 MR. GOODE: Okay. Judge, I -- if I, that was called

21 into question on cross examination. She stated one basis on

22 direct on cross the record got muddled because she gave a

23 different answer about the basis. So that needs to be

24 clarified.

25 JUDGE RINGLER: I -- I'm satisfied that it's been

1 clarified at this point.

2   MS. SNELLING: Okay. I have no further questions,

3 Your Honor.

4   JUDGE RINGLER: Okay. Anything on Recross, just go

5 ahead.

6   MR. BALSAM: I think just a --

7   RECROSS EXAMINATION

8 BY MR. BALSAM:

9 Q.   You testified on redirect, you couldn't think of a single

10 situation other than the individual we spoke about that was

11 sent home for the ice bin?

12 A.   Mm-hmm.

13 Q.   The question that was presented to you was that had anyone

14 -- have you sent anyone else home who had left the ice bin

15 open? On one occasion, you said? No. With this particular

16 part that you sent home had left the ice bin open on more than

17 three occasions, correct? And in fact, there was four?

18 A.   Correct.

19 Q.   Okay. So there has been no other partner that you -- that

20 you were supervising but left the iceman open on than four more

21 occasions, correct?

22 A.   Correct.

23 Q.   And just going back to your affidavit you wrote in

24 paragraph 6 of your affidavit, I remember telling Sam we did

25 not do this because there is not enough people to manage the

 1 store. I told Sam I wanted to close the lobby. He didn't say

 2 anything at this time because he was so busy helping customers.

 3 Is the reason why you told Sam that you wanted to close the

 4 store is because Sam was responsible for the story at the time?

 5   MS. SNELLING: Objection. Beyond the scope and

 6 redirect.

 7   JUDGE RINGLER: Sustained. You don't have to answer.

 8 You're squared away. Okay. Set as well?

 9   MR. HAYES: One moment, Your Honor.

10   MS. SNELLING: Actually --

11   MR. HAYES: Your Honor, I have one question.

12   JUDGE RINGLER: Sure.

13   FURTER REDIRECT EXAMINATION

14 BY MR. HAYES:

15 Q.   Megan, you testified about the person you sent home over

16 the ice bin. Do you remember that?

17 A.   Correct.

18 Q.   Would you have sent that person home if the three strike

19 policy hadn't been in place?

20   MR. BALSAM: Objection, calls for speculation.

21   JUDGE RINGLER: Overruled. I think it gets to the,

22 the heart of the application of the policy. She can answer

23 that.

24 BY MR. HAYES:

25 A.   No.

1   MR. HAYES: Nothing further.

2   JUDGE RINGLER: Now, you said definitively. No. Why

3 -- why not?

4   THE WITNESS: I -- but Hannah was there and so she

5 was the one, she's like, have you, how many times have you

6 talked to Brittany about this? When I told her four she's

7 like, I think you should send her home so.

8   JUDGE RINGLER: Anything on that basis, Counsel?

9   MR. HAYES: It's fine. No, it's fine Judge.

10   JUDGE RINGLER: Okay. All right, thank you very much

11 for your testimony. You're excused. Please do not discuss

12 your testimony with anyone. You can just turn them over. So

13 of course you have another witness, but we've been on the

14 record for a bit. So why don't we take a -- just a short break

15 here. We'll start again at 11:05.

16   MS. SNELLING: Thank you.

17   JUDGE RINGLER: All right. With your next witness.

18   MR. BALSAM: Thank you, judge.

19   JUDGE RINGLER: Okay. Thank you as well. Thanks.

20 (Brief recess at 10:54 a.m./ Reconvened at 11:05 a.m.)

21   JUDGE RINGLER: On the record. So who do we have for

22 our next witness?

23   MS. SNELLING: The General Counsel calls Rachel Cohen

24 to the stand.

25   JUDGE RINGLER: All right. And to start off, please

1 spell your name for us. First and last.

2   THE WITNESS: So, R-A-C-H-E-L, and then last name is

3 C-O-H-E-N.

4   JUDGE RINGLER: All right. Can you please raise your

5 right hand?

6 Whereupon,

7   RACHEL COHEN,

8 was called as a witness having been previously duly sworn, was

9 examined and testified as follows:

10   JUDGE RINGLER: All right. And what complaint

11 paragraphs is Rachel Cohen going to testify about?

12   MS. SNELLING: Okay. It's quite a few, so.

13   JUDGE RINGLER: All right.

14   MS. SNELLING: Complaint section C, 6(C).

15   JUDGE RINGLER: I'm sorry, I'm sorry. You said C

16 six?

17   MS. SNELLING: Sorry. Yes.

18   MR. GOODE: 6(c).

19   MS. SNELLING: 6(c), I'm sorry, Your Honor.

20   JUDGE RINGLER: 6(c). Okay, 6(c)

21   MS. SNELLING: Okay, 6 (c), D, E, f, G. And then I,

22   JUDGE RINGLER: okay. Okay. Let me just catch up

23 there. D, E, F, G and I already.

24   MS. SNELLING: Okay. And then complaint section 7(A)

25 through C. And then complaint section 11(A) through D. And

1 then complaint section 12 (A)through D.

2   JUDGE RINGLER: Okay. Give me just a moment. I'm

3 just going to take a quick look at our complaint paragraphs and

4 then we'll get going. There's a lot of stuff, so this might

5 take me a second.

6   MS. SNELLING: That's okay, Your Honor.

7   JUDGE RINGLER: Okay. I'm ready when you are.

8   MS. SNELLING: Okay.

9   DIRECT EXAMINATION

10 BY MS. SNELLING:

11 Q.   Hi Rachel.

12 A.   Hi.

13 Q.   How are you?

14 A.   I'm well, how are you?

15 Q.   Good. Rachel, what are your pronouns?

16 A.   She, her.

17 Q.   have you previously testified in an NLRB hearing?

18 A.   Yes, I have.

19 Q.   Okay. When?

20 A.   Summer of '22.

21 Q.   Okay. And where do you currently work in?

22 A.   I currently work for Lift free Shamen Brinkam it's a law

23 firm.

24 Q.   Okay. And what do you do there?

25 A.   I am a law firm paralegal.

1 Q. Okay. Did you ever work for Starbucks?

2 A. I did, yes.

3 Q. Okay. When did you work for Starbucks?

4 A. I worked there starting in November of 2011 to November of

5 2022.

6 Q. Okay. And what store did you work at while employed by

7 Starbucks?

8 A. I started off at the Delaware and Kenmore location and

9 then transferred to the Sheridan and North Bailey location.

10 Q. And what position did you hold when you worked for

11 Starbucks?

12 A. I started as a barista and then was promoted to shift

13 supervisor.

14 Q. Okay. When were you promoted to shift supervisor?

15 A. I want to say about 2015 or '16.

16 Q. Okay. And when you worked for Starbucks, how many hours a

17 week did you typically work?

18 A. Between 29 to 35.

19 Q. And what days did you typically work?

20 A. Usually, Monday, Wednesday, Friday and Saturday.

21 Q. And what shift did you typically work?

22 A. The mid shift. So anywhere between 7:00 a.m. to 4:00 p.m.

23 Q. And are you familiar with the Union Workers United?

24 A. Yes, I am.

25 Q. And when did you become familiar with Workers United?

1   A.   That was in 2021, later in year, around August of

2   September.

3   Q.   Okay. And how did you become familiar with Workers

4   United?

5   A.   I was approached about the idea that Starbucks might be

6   trying to form a Union.

7   Q.   Okay. And who approached you?

8   A.   Jaz.

9   Q.   And what's Jaz's last name?

10   A.   Brisack, Brisack.

11   Q.   Brisack?

12   A.   Yeah. Thank you.

13   Q.   Thank you. And did there come a time when you decided to

14   support the union publicly?

15   A.   Yes.

16   Q.   Okay. When was that?

17   A.   It was in October of 2012.

18   Q.   Okay. And how did you show your Union support?

19   A.   My store and myself went on TV and announced we were

20   unionizing.

21   Q.   Okay. And I guess what channel did you go on to announce

22   that? Or -- or what, uh, TV channel did you go?

23   A.   I think channel 247, the local news channels were there.

24   Q.   Okay. Did you show your support at work?

25   A.   Yes.

1 Q.   Okay. And how?

2 A.   I wore pins and help handout forms for people to express

3 their intend to want to unionize.

4 Q.   Okay. And did -- did you ever participate in any strikes?

5 A.   Yes, I did.

6 Q.   Okay. When?

7 A.   I participated in my first strike on July 8th, 2022

8 through July 9th. 2022.

9 Q.   Okay. And what was that strike for?

10 A.   Just the unfair practices that were going on within my

11 store, we had a -- a small contract as we were there for a

12 remodel for our -- our old store, Sheridan and Bailey, and some

13 of the contract agreements had not been being met.

14 Q.   Okay. And so did -- did your store, the Sheridan and

15 Bailey location unionize?

16 A.   Yes, we did.

17 Q.   Okay. And when was that?

18 A.   March of 2022.

19 Q.   And did you hold any positions in the union?

20 A.   I would say that I was being considered one of the Union

21 reps for our store and I was on the bargaining committee, yes.

22 Q.   Okay. And who else was on the bargaining committee with

23 you? Is anyone?

24 A.   There was quite few people from my store. I had Sam

25 Amato, I had Naval Brian, Colleen McCuen, Daniel Rohas. I

1 think those was almost everyone from our store.

2 Q.   And has the employer ever met with the bargaining

3 committee?

4   MR. BALSAM: Objection, relevance.

5   MS. SNELLING: Your Honor, it's going to get into

6 kind of the transfer from the one store to the other, and just

7 kind of background about that and then --

8   JUDGE RINGLER: Okay. I'll allow, okay, go ahead.

9 You may answer.

10 BY MS. SNELLING:

11 A.   Yes, they did.

12 Q.   Okay. And when was that?

13 A.   So there were two instances where we met. One was for a

14 smaller contract to transfer to another store during our

15 remodel, and that was on May 26th.

16 Q.   Of what year?

17 A.   Of 20 -- 2022. Excuse me.

18 Q.   Okay. And how -- how did the May 26th bargaining session

19 take place?

20 A.   Via Zoom.

21 Q.   Okay. And who was at that bargaining session from the

22 employer?

23   MR. BALSAM: Objection, relevance.

24   MS. SNELLING: Your Honor, I'm laying Foundation for,

25 you know, what was discussed in the bargaining session that

1 will then lead to later conversation.

2   JUDGE RINGLER: I'll permit. Go ahead.

3 BY MS. SNELLING:

4 A.   Sure, Alan Model was there, Mallory Cambine (Phonetic) and

5 I believe Katherine Kelly (Phonetic) was there.

6 Q.   Okay. And who was there representing the store employees?

7 A.   Myself, Sam Amato, Jennifer Beck (Phonetic), Mabel Brian

8 (Phonetic). I think that was everyone from our store.

9 Q.   Okay. And what specifically did you dis -- or strike

10 that, did you reach an -- an agreement?

11 A.   Not the first time, no.

12 Q.   Okay. Did you ever reach an agreement about that

13 bargaining session?

14 A.   Yes, we did.

15 Q.   Okay. And what was the agreement about?

16 A.   The agreement was about the transfer of all of my store

17 partners that shared into the Tonawanda location for the

18 remodel and what would be allowed to be done while we were

19 there.

20 Q.   Okay. And was this a written agreement?

21 A.   Yes, it was.

22 Q.   Okay. And did you ever receive a copy of this written

23 agreement?

24 A.   Yes, I did.

25 Q.   And if I showed it to you, would you recognize it?

1 A. Yes.

2 Q. I'm distributing what has been marked as GC Exhibit 44.

3 Rachel, do you recognize this?

4 A. Yes, I do.

5 Q. What is this?

6 A. This is the contract agreement that my bargaining

7 committee as well as the employer came to agree with.

8   (General Counsel's Exhibit GC-44 identified.)

9 Q. Okay. And do you see your signature somewhere on this

10 agreement?

11 A. Yes.

12 Q. Okay. And it looks like it was typed, so is this an

13 electronic signature?

14 A. Yes. It is.

15 Q. Okay. And is this a true and accurate copy of the

16 agreement that you reached with the employer?

17 A. Yes, it is.

18   MS. SNELLING: I move GCs Exhibit 44 into evidence.

19   JUDGE RINGLER: Any objection to 44?

20   MR. BALSAM: One moment, Judge? Voir dire?

21   JUDGE RINGLER: Go ahead.

22   VOIR DIRE

23 BY MR. BALSAM:

24 Q. Ms. Cohen, how did you receive this document?

25 A. Email?

1 Q.   From who?

2 A.   From Alan Model and Katherine Cohen.

3 Q.   And when did you receive this email -- email from Alan

4 Model and Kathrine Cohen?

5 A.   June 2nd.

6 Q.   Do you have a copy of that email?

7 A.   I'm sure I do still in my email, yes.

8 Q.   And were there any modifications made to the version of

9 the document you received from Alan Model and Katherine Cohen?

10 A.   No.

11 Q.   This is fact that you received by email from Alan Model

12 and Kathrine Cohen?

13 A.   Yes.

14   MR. BALSAM: No, objection, Judge.

15   JUDGE RINGLER: Admitted on 44.

16 (General Counsel's Exhibit GC-44 admitted into evidence.)

17 BY MS. SNELLING:

18 Q.   Okay. And Megan, you can set this document aside for

19 right now. Okay. So after this agreement went into place, did

20 Sheridan and Bailey employees then transfer to the Tonawanda

21 location?

22 A.   Yes, we did.

23 Q.   Okay. And so when did that happen?

24 A.   That happened June 6th.

25 Q.   Okay. And so what was customer traffic like when the --

1 when employees first arrived at the Tonawanda location?

2 A.   It was very quiet, minimum. No one knew the store was

3 opened. It was not updated on any apps, any Google maps that

4 the store is open.

5 Q.   Okay. And so at any point did the customer traffic

6 change?

7 A.   Yes. So about three weeks into our stay there everything

8 started to get updated, the mobile order app and Google Maps

9 was updated, that we were open and we started to pick up very

10 quickly.

11 Q.   Okay. And so how -- how would you describe staffing for

12 that increase in customer traffic?

13   MR. BALSAM: Objection. Are we talking about a

14 particular timeframe? Days, week?

15   MS. SNELLING: I -- I just said when the -- when the

16 customer traffic picked up and Megan indicated --

17   JUDGE RINGLER: Yeah, I think we're talking about

18 three weeks later. You said the traffic picked up?

19   THE WITNESS: Yes. So you comment on staffing at

20 that time.

21 BY MS. SNELLING:

22 A.   Sure. So the staffing around the three week mark hadn't

23 changed much from the staffing at the beginning of our time

24 there. We just did not have enough bodies to keep up with the

25 traffic that was coming in.

1 Q.   Okay. And did you ever address your concerns about the

2 short staffing with your manager at the time?

3 A.   Yes, I did.

4 Q.   Okay. And who was your manager?

5 A.   Hannah Stachowiack.

6 Q.   Okay. And when did you address this with Hannah?

7 A.   I want to say right around the time that it started to

8 pick up. So maybe around that three or four week period.

9 Q.   Okay. At the end of June?

10 A.   Yes.

11 Q.   And where did this conversation with Hannah take place?

12 A.   Just on the floor at the Tonawanda store.

13 Q.   Okay. And how did -- was anyone else present for this

14 conversation?

15 A.   No.

16 Q.   Okay. How did this with Hannah begin?

17 A.   I approached her, and told her that from what I could see

18 as amid there were a lot of opportunities that I both seen were

19 lacking, where the drive-through times are too high or the

20 customers were waiting for too long. I had to close down the

21 lobby many times on my shifts, in this past two weeks due to

22 short staffing. And I asked her if we were able to add an

23 extra person or call people in, or even have people stay late

24 just to cover all of the traffic.

25 Q.   Okay. And what, if anything, did she say to that?

1 A.   She said she was not allowed to make any scheduling

2 adjustments because we did not have a contract.

3 Q.   Okay. And what did she mean -- strike that? I -- what

4 did she mean by scheduling adjustments?

5   MR. BALSAM: Objection, false speculation. She can't

6 testify about what someone else thought.

7   JUDGE RINGLER: Sustained.

8 BY MS. SNELLING:

9 Q.   Okay. And --

10   JUDGE RINGLER: Did she say anything else?

11   THE WITNESS: No. Just that she wasn't allowed to

12 make any changes to any -- any availability, any -- any extra

13 labor hours because we didn't have contract.

14 BY MS. SNELLING:

15 Q.   Okay. And did she say what she meant extra labor hours?

16 A.   Just that she couldn't add people to the schedule. It was

17 based on sales and based on our -- the -- we didn't have a

18 contract, so she wasn't allowed to.

19 Q.   Okay. And in your experience, Rachel, how did short

20 staffing impact the store at that time?

21 A.   We are hold to a certain standards when it comes to out

22 the window times and you know, beverage routines and making

23 sure things are done timely. We were not able to fulfill the

24 Starbucks standard for these times with the staffing that we

25 had, I was also unable to run many breaks.

1   Myself included not taking many breaks those few

2   weeks just to keep things afloat. We also would frequently

3   have to turn off channels for ordering for customers, which

4   caused a lot of chaos so.

5   JUDGE RINGLER: What channels?

6   THE WITNESS: So we were able to turn off mobile

7   orders so people couldn't like, order ahead of time. There

8   were times when we had to, for safety reasons, to shut the

9   lobby down and go drive through, only if it was just me and one

10 other person. So those kinds of areas.

11 BY MS. SNELLING:

12 Q.   Okay. And so did you speak with Hannah about store

13 operations again?

14 A.   Yes, I did.

15 Q.   Okay. And when did that happen?

16 A.   That was -- I want to say the beginning of July.

17 Q.   Okay. And what was it about specifically?

18 A.   It was specifically about the July 4th holiday.

19 Q.   Okay. And where did you have this conversation with

20 Hannah?

21 A.   This was also in the Tonawanda store on the floor.

22 Q.   Okay. And how did this conversation start?

23 A.   I approached her about the upcoming holiday again, just

24 asked her if there was any plan to shut the store down early

25 for -- for July 4th.

1 Q.   Okay. And what if anything, did she say?

2 A.   She said again, she was not allowed to modify store hours

3 because there was no contract, even if it was a holiday.

4 Q.   Okay. And what, if anything, did you say to that?

5 A.   I told her that I couldn't remember a time when July 4th

6 was not a half business day for Starbucks in my -- in my

7 duration, which had been about 10 years at this point. That we

8 had never stayed open in any of my stores the full day just to

9 give people the night off. And she said that there's nothing

10 she could do. Oh, well.

11 Q.   And besides mentioning the contract, did she say anything

12 else about the Union at that time?

13 A.   She said that this was our decision that we made and we

14 would just have to deal with it.

15 Q.   Okay. And had she said that statement to you prior?

16 A.   I know that she had said it to another partner, she had

17 said it to me at one point after a conversation about my

18 frustration with the lack of a big store contract. We had had

19 a conversation on the floor about how we weren't making any

20 progress with Alan and bargaining sessions.

21   And she said that this is the decision that we made

22 you're just going to have to deal with it. And then she asked

23 to see all of my correspondence between Alan and myself.

24 Q.   Okay. And correspondence about what?

25 A.   It was mainly just myself and Sam Amato, asking Alan to

1 meet us at the bargaining table.

2 Q.   Okay. And how did you ask to meet at the bargaining

3 table?

4 A.   Via email.

5 Q.   Okay. Okay. And to the best of your knowledge when did

6 the store close on July 4th?

7 A.   To the best of my knowledge, it stayed open the rest of

8 the night. I -- I left around 1:00 o'clock that day so I

9 didn't see.

10 Q.   Okay. And so to the best of your knowledge, did the

11 employer bargain with the Union over closing the -- over not

12 closing the store early on July 4th?

13 A.   I'm sorry. Can you ask it one more time?

14 Q.   Yes. Okay. So did the employer bargain with the Union

15 about keeping the store open for the full amount of hours on

16 July 4th?

17 A.   No.

18 Q.   And Rachel, I'm going to backtrack just slightly.

19 A.   Sure.

20 Q.   First conversation that you had with Hannah about the

21 third week of June?

22 A.   Sure.

23 Q.   Did she say anything about the Union at that time as well?

24 A.   Just that this was our decision that we made and we had to

25 deal with the consequences of it.

1　Q.　Okay.　And that was surrounding the staffing at the store?

2　A.　Yes.

3　Q.　Okay.　Did Hannah ever institute any policies while she

4　was your store manager?

5　A.　Yes, she did.

6　Q.　Okay.　And when did Hannah become your store manager?

7　A.　She became her store manager, I want to say around

8　February or March of 2022.

9　Q.　Okay.　And so what new policies did Hannah institute?

10　A.　She started the three strike rule.

11　Q.　Okay.　And when was that rule introduced?

12　A.　That was introduced, I want to say around our third,

13　fourth week at the Tonawanda store.

14　Q.　Okay.　And where did Hannah introduce this?

15　A.　We had a shift meeting, so all the shifts and -- and the

16　store manager would meet have discussions and she told us about

17　this new policy or this new rule.

18　Q.　Okay.　And when you say shifts what do you mean?

19　A.　So just the like shift supervisors, kind of like the

20　committee managers.　I guess the people that are in charge of

21　the floor.

22　Q.　And at this meeting, did she describe the rule?

23　A.　Yes, she did.

24　Q.　Okay.　And what was the rule?

25　A.　So the rule was if a partner committed the same three

1 infractions, we had to send -- the shifts, had to send them

2 home.

3 Q. Okay. And can you give an example of an infraction?

4 A. Sure. So leaving the ice bin open three times, or not

5 putting a rag into the buckets, the sanitary bucket three

6 times.

7 Q. Okay. And based on your experience, Megan, or not Megan,

8 excuse me, Rachel how would you have handled individuals small

9 infractions in the past?

10 A. So it would be very quick like on the floor, just to make

11 sure you put this away. If it -- it didn't get any better, I

12 would pull them off the floor and just talk to the partner if

13 it continued to not. It would be a conversation between the

14 manager, myself and the partner. So just a lot of like,

15 internally kind of trying to problem solve.

16 Q. Okay. Would you send individuals home for those small

17 fractions?

18 A. No.

19 Q. And had you heard of the rule prior to Hannah introducing

20 it in June?

21 A. No, I had not.

22 Q. And did you ever speak with other members of management

23 about this rule?

24 A. Yes, I did.

25 Q. Who did you speak with?

1   A.   So we at this time had a new district manager, Sebastian

2   Garcia. He came into our, the Tonawanda store one day just to

3   do an observation, and I asked him to stay after, and we spoke

4   outside of the store about the rule.

5   Q.   Okay. And when did you speak with him about this?

6   A.   I want to say about a week or two after the rule was put

7   into place.

8   Q.   Okay.

9   JUDGE RINGLER: Which was?

10   THE WITNESS: Maybe the 2nd or 3rd week of July.

11   JUDGE RINGLER: Okay.

12   BY MS. SNELLING:

13   Q.   And how did this conversation start with Sebastian?

14   A.   So after I asked. What's very casual, ask what's up. And

15   I told him my concerns about the rule, how I wasn't comfortable

16   sending people home over such minor infractions. Also, I

17   wasn't familiar with this rule in the -- the handbook. And --

18   and he asked me what rule was it? What -- what does it entail?

19   And I told him, and he said he had never heard of this. He

20   would look into it for me, but he's pretty sure it wasn't any

21   sort of written down policy.

22   Q.   And Rachel in your experience with this rule, what was the

23   impact of this rule on the store?

24   A.   It caused a lot of resentment between the baristas and the

25   shifts. There was already -- there's already some power

1 issues, I think, regardless where you work, but it -- it

2 definitely caused a rift and it was difficult because one of

3 the parts of the rule was that if we didn't send people home we

4 would get written up. And so we was kind of us, or it was, it

5 turned into we versus them situation and it was -- it just

6 created a really bad environment.

7 Q.   Okay. And when you say we would be sent home, who are you

8 referring to?

9 A.   Oh, the shift supervisors.

10 Q.   Okay.

11 A.   Yeah.

12 Q.   And so when you say we versus them, who are you referring

13 to?

14 A.   So the shift supervisors versus the baristas that we would

15 be implementing this rule on.

16 Q.   Okay. And to the implementation of this rule. Did the

17 employer give notice to the Union about the implementation?

18 A.   No.

19 Q.   Okay. And prior to this, did the employer bargain over

20 the implementation of this rule?

21 A.   No.

22 Q.   Megan, you mentioned earlier that you went on strike on

23 July 9th. Was this when you were working at the Tonawanda

24 store?

25 A.   So if we started July 8th, went back July 9th. But yes,

1 it was at the Tonawanda store.

2 Q. Okay. And, prior to going on strike, did you give notice

3 to the employer about this strike?

4 A. Yes, we did.

5 Q. Okay. And how so?

6 A. Via email.

7 Q. Okay. And was there an attachment in that email?

8 A. Yes.

9 Q. Okay. And if I showed you the email that you sent, would

10 you recognize it?

11 A. Yes.

12 Q. And also if I showed you the attachment, would you

13 recognize it?

14 A. Yes.

15 Q. Okay. Now I am distributing GC Exhibit 45 and also GC

16 Exhibit 20 already put into evidence.

17   JUDGE RINGLER: This is --

18   MS. SNELLING: That's 20.

19   JUDGE RINGLER: GC 20?

20   MS. SNELLING: Yeah. That's already into evidence.

21   JUDGE RINGLER: All right.

22   MS. SNELLING: Is Respondent, does your -- the

23 letter, is it labeled for you because I think I may have

24 forgot.

25   MR. BALSAM: Yes.

1   MS. SNELLING: Okay. Perfect.

2   BY MS. SNELLING:

3   Q.   And looking at GC Exhibit 45, Rachel, do you recognize

4   that?

5   A.   Yes, I do.

6   Q.   Okay. And what is this?

7   A.   So, 45 is the -- the email that I've sent right before the

8   strike.

9   (General Counsel's Exhibit GC-45 identified.)

10 Q.   Okay. And who did you send it to?

11 A.   Howard Jones, Sebastian Garcia, and the district manager

12 and our manager Hannah, that's the US email.

13 Q.   Okay. And this email has a date and timestamp?

14 A.   Sure.

15 A.   Is that date and timestamp correct as to when you sent the

16 email?

17 A.   Yes, it is.

18 Q.   Okay. And is your email on this -- this document?

19 A.   Yes, it is.

20 Q.   Okay. Where is it?

21 A.   Excuse me. It's right next to the date, next to the sent

22 and the little file.

23 Q.   Okay. Great. And is this a true and accurate copy of the

24 email that you sent on July 8th, announcing the strike?

25 A.   Yes. It is.

1   MS. SNELLING: Okay. So I move GC exhibit 45 into

2   evidence.

3   JUDGE RINGLER: Any objection to 45?

4   MR. BALSAM: May I ask just a quick voir dire?

5   JUDGE RINGLER: Yes. Go ahead.

6   VOIR DIRE

7   BY MR. BALSAM:

8   Q.   Just so I'm clear, GC Exhibit 20 is the attachment that's

9   reflected in GC Exhibit 45?

10 A.   Yes.

11   JUDGE RINGLER: All right. So we'll admit 45, 20 was

12 previously admitted.

13   (General Counsel's Exhibit 45 admitted into

14 evidence.)

15 BY MS. SNELLING:

16 Q.   Okay. And then just to clarify, the GC Exhibit 20, is

17 that an accurate copy to the best of your recollection, Rachel,

18 of what you attached?

19 A.   Yes, it is.

20 Q.   Okay. After the strike, Rachel, did a manager speak to

21 you about the strike?

22 A.   Yes.

23 Q.   Okay. Who?

24 A.   Hannah, the -- my store manager.

25 Q.   And you can put those exhibits to the side.

1	A. I'll put them.
2	Q. Okay. And when did you speak with her?
3	A. July 9th, the following day.
4	Q. Okay. And where did you have this conversation?
5	A. In the store. So she -- I opened the next day and she was
6	like the next person in, so right there in the day.
7	Q. Okay. And was anyone else present for this conversation?
8	A. My other opener, Renee Hedgemanskiy was there. She wasn't
9	in the actual conversation, but it was just us three in the
10	store.
11	Q. Okay. And how did this conversation start?
12	A. Hannah approached me regarding the strike from the day
13	before.
14	Q. Okay. And what, if anything, did she say?
15	A. She told me that the -- she already knew about the strike
16	and we should have given her more notice, so that she could
17	schedule people who didn't want to be involved at different
18	stores. And she also asked if we were -- if we had stolen
19	pounds of coffee to give away to customers because she had also
20	heard that we were giving away pounds coffee at the strike.
21	Q. Okay. And, so going back to -- so she can know who
22	doesn't want to participate did she say anything else in -- in
23	reference to that?
24	A. No, just that she -- she already kne.
25	MR. BALSAM: Objection. Move to strike. She --

1 she's answering beyond the scope of the question.

2   JUDGE RINGLER: Overruled. You can answer the

3 question. Do you want to hear it again?

4   THE WITNESS: Sure. Thank you.

5   JUDGE RINGLER: Go ahead.

6 BY MS. SNELLING:

7 Q. So when she said so that she can know who isn't striking

8 what -- what if anything else did she say?

9 A.   Just that partners, um, that didn't want to participate,

10 wanted to be scheduled elsewhere and that -- that if she knew

11 ahead of time that she could have scheduled them elsewhere.

12 Q. Okay -- okay. And then you also mentioned something about

13 stealing coffee?

14 A.   Yes.

15 Q. So was that mentioned in this conversation?

16 A.   So she approached me twice in -- in the following days or

17 about the strike. So I know there was a conversation on the

18 11th where she had mentioned the scene that somebody had seen

19 partners in the store the day of the strike. She also asked if

20 we had stolen coffee to give to customers, during the strike.

21 Q.   Okay. And so where did she ask you this?

22 A.   This was all in the Tonawanda store.

23 Q.   Okay. And was anyone else around for that conversation?

24 A.   No.

25 Q.   Okay. And so how did she start this conversation?

1 A.   So --

2   JUDGE RINGLER: This is the conversation on July 11th

3 we're referring to?

4   THE WITNESS: Yes. Yes.

5   JUDGE RINGLER: Sure.

6 BY MS. SNELLING:

7 A.   So on the 11th she pulled me off the floor and spoke to me

8 privately at a table and asked if there was anybody in the

9 store on the day of the strike. She said somebody had driven

10 by and seen people inside of the store, and I told her I was

11 there from the beginning to the end of the strike and no one

12 stepped foot inside the entire time.

13 Q.   Okay. And what if anything, did you say about the stolen

14 coffee?

15 A.   I told her that we all used our mark outs to give the

16 coffee away.

17 Q.   And what is a marked out, Rachel?

18 A.   So once a week at Starbucks, employees can mark out a

19 pound of coffee instant little beer packet, a tea and take it

20 home for free.

21 Q.   Okay. And is there any restriction on what an employee

22 can do with a mark out?

23 A.   Yes. So really the only restriction is you can't resell

24 it. Like, or to even a family member, you can't get money for

25 it.

1 Q.   Okay. Had you ever given the mark outs away before?

2 A.   Yes, our Sheridan and Bailey. We donated ours to

3 Journey's end or we donated to the Little Bridge, after the top

4 shooting. We all gathered markouts for that so a lot of

5 different charities -- and moving to donate to.

6 Q.   Okay. And was your manager aware of these donations?

7 A.   Yes.

8 Q.   Okay. And just to clarify, what did you do with the

9 markouts of the strike?

10 A.   I gave it to customers who were upset that we were closed.

11 Q.   Okay. Rachel, do you know of someone by the name of Sam

12 Amato?

13 A.   Yes, I do.

14 Q.   Okay. And how do you know him?

15 A.   We worked together as shift supervisor at Sheridan and

16 Bailey.

17 Q.   Okay. Does he still work for Starbucks?

18 A.   No, he does not.

19 Q.   Okay. And why not?

20 A.   He was terminated.

21 Q.   Okay. And prior to his termination, did the employer

22 provide, provide notice of the intent to terminate Sam?

23 A.   Yes. Oh, I'm sorry. Can you ask it again?

24 Q.   Yeah. Did the employer provide notice prior to the

25 termination of Sam that they would terminate him?

1 A.   No.

2 Q.   Okay. And did the employer bargain with the union over

3 Sam's termination?

4 A.   No.

5 Q.   And Rachel, did you ever work with someone named Tatiayna

6 Gurskiy?

7 A.   Yes, I did.

8 Q.   Okay. And where did you work with her?

9 A.   At Sheridan and Bailey and Tonawanda.

10 Q.   Okay. And how frequently would you work with her?

11 A.   I would say, I work with her maybe four or five hours a

12 week.

13 Q.   And what was your experience working with Tatiayna?

14   MR. BALSAM: Objection. Relevance.

15   JUDGE RINGLER: This is the same relevance from

16 before. Objection noted for the record. But I've permitted it

17 before, so I'll permit you testify.

18 BY MS. SNELLING:

19 A.   Can you just ask me one more time?

20 Q.   Yes. So, what was your experience working with Tatiayna?

21 A.   So, we did work frequently, but I never had any issues. I

22 would open on the weekends and take over her shifts from the

23 night before and have no issues. She's rarely the topic or

24 center of any drama, follows the rules, nobody disliked her. I

25 didn't dislike her. It was overall a good experience -- a good

1 peer-peer experience.

2 Q.   Okay. And to the best of your knowledge, does she still

3 work for Starbucks?

4 A.   No.

5 Q.   And why not?

6 A.   She was terminated on October 30th.

7 Q.   Okay. And after her termination, do you know if she

8 appealed her termination?

9 A.   She did, yes.

10 Q.   Okay. And how do you know?

11 A.   She asked me to write her a letter of support.

12 Q.   Okay. And if I showed you -- or actually how did you --

13 did you actually write a letter of support?

14 A.   Yes, I did.

15 Q.   Okay. And did you send it to her?

16 A.   I did, yes.

17 Q.   How did you send it to her?

18 A.   Via email.

19 Q.   Okay. And if I showed you the email, would you recognize

20 it?

21 A.   Yes, I would.

22 Q.   Okay. And if I showed you the statement that you wrote

23 for Tatiayna, would you recognize it?

24 A.   Yes.

25   MS. SNELLING: I am distributing what is marked as GC

1 Exhibit 46 and GC Exhibit 47.

2 (GC Exhibit 46 and GC Exhibit 47 identified)

3 Q. And, looking at GCs exhibit 46, do you recognize that,

4 Rachel?

5 A. Yes, I do.

6 Q. And what is GC Exhibit 46.

7 A. This is my email to Tatiayna for here appeal.

8 Q. And there's a date marked on -- or is this a screenshot of

9 the email?

10 A. Yes. Yes.

11 Q. Okay. And is there's a date up at the top right corner?

12 Is that the day in which that you sent this email?

13 A. Yes. Yes.

14 Q. And, how do you know that you sent this to Tati?

15 A. That's my -- I -- that's my email Rachel B. is what I

16 changed my last name to and -- yeah, everything.

17 Q. And in the -- below your name is the -- to and then

18 there's an email, was that Tatiayna's email?

19 A. Yes.

20 Q. Okay. And so, is this a true and accurate copy of the

21 email that you sent to Tati?

22 A. Yes.

23 Q. Okay. So, and then turning to GC exhibit 47, in the email

24 it shows you know, a letter in smaller print, it seems. Is --

25 what is GC 47?

1 A.   This is my actual written appeal letter for her.

2 Q.   Okay. And so, was this attached in the email that we were

3 just looking at?

4 A.   Yes, it was. Yes.

5 Q.   Okay. And so, who wrote this letter?

6 A.   I did.

7 Q.   Okay. And is this a true and accurate copy of the letter

8 that you wrote for Tati?

9 A.   Yes. Yes.

10   MS. SNELLING: I move GC Exhibit 46 and 47 into

11 evidence.

12   MR. BALSAM: I feel like we're going through deja vu

13 right now. It's the same issue that we have with the last

14 witness. She already justified about the fact that she had no

15 issues with Tatiayna Gersky. This is the same exact type of

16 document that was previously rejected as we develop in this

17 case.

18   JUDGE RINGLER: And -- go ahead counsel. I mean now

19 -- we're now -- I'm assuming -- so this was sent to Tatiayna

20 and then when Tatiayna testifies, I'm assuming that she'll

21 testify that she forwarded this to Starbucks.

22   So, on this one, the same as with GC 43A and B, I'm

23 just going to put it on hold until we get that piece of the

24 testimony and then I'll rule out on it at that point.

25   MS. SNELLING: That works, Your Honor.

1   JUDGE RINGLER: Now, did you observe the event that

2   led to Tatiayna's discharge?

3   THE WITNESS: I was not there.

4   JUDGE RINGLER: You were not there, okay.

5   BY MS. SNELLING:

6   Q. Rachel, I'll go back to -- we're going to talk again about

7   when you spoke with Hannah the day after the July 8th strike.

8   A. Sure.

9   Q. So -- so when she said to give notice of a strike, did she

10 say anything in the future tense about that?

11 A. Just that she could schedule people elsewhere in the

12 future.

13 Q. Okay.

14   MS. SNELLING: Okay. No further questions, Your

15 Honor.

16   JUDGE RINGLER: All right.

17   MR. HAYES: I have a direct, Your Honor.

18   JUDGE RINGLER: Go ahead.

19   DIRECT EXAMINATION

20 BY MR. HAYES:

21 Q. Rachel, You testified about Hannah making comments about

22 you not having a contract.

23 A. Yes.

24 Q. What did you understand contract to mean?

25 A. What I understood contract to mean for her was a big store

1 contract that we could bargain over. At this time, we did have

2 a contract. We did have the -- this temporary contract. So,

3 I'm assuming she meant a bigger contract.

4 Q.   Contract between the union and the company?

5 A.   Correct.

6 Q.   And you also testified that Hannah made comments about the

7 workers in your store having made a decision and you dealing

8 with the consequences of that?

9 A.   Correct.

10 Q.   What decision did you understand she was referring to?

11 A.   Joining the union.

12   MR. HAYES: Okay. Nothing further Your Honor.

13   JUDGE RINGLER: All right. Affidavits for this

14 witness.

15   MS. SNELLING: Your Honor, Rachel has two affidavits.

16   JUDGE RINGLER: Mm-hmm.

17   MS. SNELLING: One from this -- this case and then

18 also from Buffalo one. Which I think there's going to be very

19 little that's relevant in the first -- in the Buffalo one

20 affidavit. But the one for this case is eight pages and then

21 for Buffalo one it is 20 pages.

22   JUDGE RINGLER: 20 pages. Okay. Why don't we do

23 this, to be a little extra efficient today. So, it's 11:50

24 a.m., we'll take a lunch break, we'll reconvene at 12:50 p.m.

25 and then we'll make it a combo lunch. Look at the affidavit,

1 break from the employer, lunch break for everyone else and take

2 it from there.

3   MR. BALSAM: Judge, can we just go once, make it

4 easier? We have break until one. Make it easier.

5   MR. HAYES: I -- I was actually going to ask in any

6 events – with -- with the -- the letter brief for the index

7 subpoena index issue, if we could potentially take a longer

8 break today, Judge.

9   JUDGE RINGLER: No, no. I'm not going to take the

10 longer break today, so we'll go until 1 O'clock.

11   MR. HAYES: Thank you Judge.

12   JUDGE RINGLER: All right. No, you're welcome.

13   MR. BALSAM: Judge, if it's easier, I can just cross

14 the witness now and we're just going to be released and then we

15 can just take a break. I'm ready to go.

16   JUDGE RINGLER: You're ready to go?

17   MR. BALSAM: I'm ready to go.

18   JUDGE RINGLER: Okay. That's the quickest affidavit

19 review in the history of the NRLB.

20   MR. BALSAM: I'll review while I do my questions and

21 then there's any follow base on this. I am just trying to be

22 efficient.

23   JUDGE RINGLER: Okay. That sounds good. Thank you.

24 All right.

25   CROSS EXAMINATION

1 BY MR. BALSAM:

2 Q.   Good morning.

3 A.   Good morning.

4 Q.   You testified before that you had to close down the cafe

5 on multiple shifts, correct?

6 A.   Yeah.

7 Q.   Did you obtain prior management approval before doing

8 that?

9 A.   Yes.

10 Q.   And you did that because you knew you had to do that,

11 correct?

12 A.   Yeah. Just for safety reasons

13 Q.   At the time of your conversation with Hannah about the

14 July 4th holiday and your question as to whether or not that

15 day the store would close early. Isn't it true that that

16 location was not in existence prior?

17 A.   Yes.

18 Q.   There was -- there was no past practice at that particular

19 location about the July 4th holiday?

20 A.   Correct.

21 Q.   And in -- in terms of your time at Starbucks, I believe

22 you've been at Starbucks since November of 2011, correct?

23 A.   Yes.

24 Q.   At -- at any point in time, in your time at Starbucks, did

25 July 4th ever been observed as a so-called holiday at

1 Starbucks?

2 A.   Yes. It well -- it was a -- a -- considered a federal

3 holiday, so it would be time and a half.

4 Q.   But in terms of store average?

5 A.   Yes.

6 Q.   Starbucks is -- Starbucks is open on July 4th.

7 A.   Yes.

8 Q.   And never -- any modified hours of operation that

9 Starbucks apply for?

10 A.   Yes, there was modified hours every year.

11 Q.   At what -- at what location?

12 A.   So, for my location at the Delaware Kenmore store when I

13 first started, we had modified hours. And when I transferred

14 to Sheridan and Bailey there was modified hours.

15 Q.   Not in Tonawanda because there was no prior -- wasn't open

16 prior.

17 A.   Correct.

18 Q.   And in fact, isn't it true that every single store at

19 Starbucks has different store hours?

20 A.   Yes.

21 Q.   And that store hours are dependent on customer traffic,

22 correct?

23 A.   Yes.

24 Q.   And partner availability, correct?

25 A.   Yes.

1 Q. And so, every store treats their particular store

2 differently from other stores?

3 A. Yes.

4 Q. You were testifying about the so-called three strike rule

5 that Hannah implemented at your store, correct?

6 A. Yes.

7 Q. And you gave an example of a -- an infraction that Hannah

8 told you about that you were warned implementation of this

9 three-strike rule, and the examples you gave were missing a rag

10 in a bucket or leaving the ice cream open, right?

11 A. Yeah.

12 Q. Any other examples of an infraction that Hannah may have

13 told you would've warranted implementation of the three-strike

14 rule?

15 A. Sure. There was -- if you weren't doing like a -- a

16 customer support cycle completely, like you were going into the

17 lobby and wiping things down every 10 minutes, if you were not

18 cleaning off the steam lawn, very minimal things.

19 If you didn't go outside every 10 minutes, just to make sure

20 the patio was clean. If you weren't engaging with the customer

21 fully or cleaning the trunks, very minimally habitual daily

22 things.

23 Q. But minimal habitual things in isolation, right? So, if

24 you have done that one time it's minimal, but if you do it more

25 than one time, it becomes more drastic. Right?

1 A.   I -- I guess -- I mean minimal in like terms of what kind

2 of task it is not --

3 Q.   But if you're, for example, doing the same thing

4 incorrectly over multiple periods of time in particular shifts,

5 you would agree that by virtue of doing that, infraction

6 becomes more serious?

7 A.   Yes. I agree.

8 Q.   And in fact, you testified that in the past, prior to the

9 so-called implementation of a three-strike rule, that you would

10 in fact engage in three different steps, right?

11 A.   Yes.

12 Q.   The first being coaching opportunity, which is you as the

13 shift supervisor, having a verbal conversation with the

14 partner, did the incorrect task, correct?

15 A.   Yes.

16 Q.   And then the second being, you would take them off the

17 floor and have another conversation?

18 A.   Yes.

19 Q.   And then the third being that you would have a

20 conversation with them in front of your store manager?

21 A.   Yes.

22 Q.   At any point in time in the past, have you had a

23 conversation with the partner and the store manager after the

24 person engaged in so-called three different issues of problems

25 on a particular shift?

1 A.   No.

2 Q.   It never happened before?

3 A.   Not -- not with the three. Not with like the three same

4 infractions like the three-strike rule.

5 Q.   But on a particular day in the past, prior to the so-

6 called implementation of the three strike, you've had

7 conversations with barista's, yourself and the store manager to

8 discuss multiple infractions that a partner engaged on a

9 particular shift?

10 A.   Yes.

11 Q.   Okay. Are you aware if -- if at that point in time a

12 partner received any type of discipline beyond verbal

13 discussion after engaging in three strikes?

14 A.   So, I -- I wouldn't know of anyone else's like

15 disciplinary record. I would just know of like a verbal -- if

16 I was involved in the verbal conversation that I would know

17 about any point going further.

18 Q.   Okay. But it's possible that after the three so-called

19 before the implementation of the so-called three strikes, if a

20 partner engaged in three infractions a particular day that they

21 could have been practiced?

22 A.   Yes.

23 Q.   And that would include, but not limited to sending them

24 home?

25 A.   I would say that would be -- it would be rare, but not

1 impossible.

2 Q.   Now, talking about the sh -- the strike that you went on,

3 on July 9th, there was discussion about the communication that

4 you sent to Starbucks --

5 A.   Sure.

6 Q.   -- in advance to the strike. How soon before the strike

7 did you provide notice to Starbucks?

8   MR HAYES: Objection. Relevance.

9   MR. BALSAM: Relevance to the issue about the so-

10 called threat that we made about seeking out, getting covered.

11   JUDGE RINGLER: Okay. Overruled. You can answer.

12 BY BALSAM:

13 A.   Oh sure. So, if I can just look at it again. I'm sorry.

14 I think I sent it out at around 4:00 a.m. in the store. The

15 openers were set to go in at 5:30 a.m. So, I would say about

16 an hour and a half notice.

17 Q.   And in your -- in your experience, is that enough time to

18 provide coverage to a store that's going to be shut down?

19 A.   Yes.

20 Q.   How so?

21 A.   Well, the goal is to make sure that we are all out there

22 together and that the store isn't open and staffed. That's the

23 point of the strikes. So, the amount of time I gave, I felt

24 was adequate enough to get everybody up and ready to go and

25 give them the notice too.

1 Q.   I think you misunderstood my question. My question is, is

2 that an adequate amount of time for a store manager to find

3 coverage for the store in light of the fact that everyone is

4 supposed to be working is going to go on?

5 A.   No, it's not.

6 Q.   So, when Hannah said to you that she would appreciate if

7 you provided additional time so that she could provide --

8 obtain coverage, that would not have been an admirable

9 conversation to have.

10 A.   No.

11 Q.   And you sit here today, that question that she asked you

12 had nothing to do with the fact that she was talking to you

13 correct?

14 A.   No.

15 Q.   You had some discussion about Hannah approaching you after

16 the strike to ask if you or any other partner had stolen coffee

17 from the store, correct?

18 A.   Yeah.

19 Q.   And your response was that "No, that was not the case and

20 that we used our mark outs?"

21 A.   Yes.

22 Q.   Did anything happen after that beyond your response to her

23 that you did not steal coffee?

24 A.   No. She just said Okay.

25 Q.   And there was nothing -- no -- no discipline imposed on

1 anyone?

2 A.   No.

3 Q.   To your knowledge, was there any further discussions about

4 the subject of stolen coffee after your discussion with her?

5 A.   I could tell her that she wanted to check the till for the

6 like transaction that each of us did for their markouts she

7 could, but that was the last I heard that --

8 Q.   Did you ask Hannah why she had thought that you had stolen

9 coffee?

10 A.   No.

11 Q.   Did anyone at your store receive any type of discipline

12 for allegedly stealing coffee?

13 A.   Not to my knowledge, no.

14 Q.   And then with respect to the issue of mark outs, you

15 testified that for this particular strike, you handed out

16 marked out items to customers because the store was closed,

17 correct?

18 A.   Yes.

19 Q.   Did anyone ask you if you had properly marked out items to

20 give away to customers?

21 A.   No.

22 Q.   Did anyone get disciplined at your store or marking out

23 items and handing them to customers?

24 A.   No.

25   MR. BALSAM: Just one minute, Judge.

1   JUDGE RINGLER: Okay.

2 BY MR. BALSAM:

3 Q.   Going back to the July 4th issue, isn't it true that at

4 your other store -- where the store was shut down earlier on

5 July 4th, that that schedule was set into place many months

6 before the July 4th holiday?

7 A.   Yes. Yes sir.

8 Q.   Excellent. How does that work?

9 A.   So, the schedules are written about -- they should be

10 written about three weeks in advance. Because of the situation

11 that we were in, I'm -- I'm unaware if -- she was just writing

12 as we were going maybe two weeks or a week or so, just because

13 we had all transferred locations.

14 So, the schedule was written for July 4th on that day. But I -

15 - I actually approached her cause I wasn't unaware if she knew

16 that that was something that Starbucks stores did since I don't

17 think she had been there July 4th before.

18 Q.   Okay. But again to your -- to your point, not all

19 locations do the same thing as you've experienced in your

20 partnership?

21 A.   I can't say. Yeah. I don't think that they all -- maybe

22 close early or, close at the same time if they do close early.

23 But I just know from my experience.

24 Q.   Okay. On your direct examination, you -- you -- when

25 asked, you said that you had sent an employee home for

1 violating the so-called from charge. Do you remember that?

2 A.   I don't think I did say that.

3 Q.   You did not?

4 A.   I don't think so, no.

5 Q.   Just to confirm, you've never sent anyone home before for

6 violating the so called three calls?

7 A.   I don't believe so.

8 Q.   Okay.

9   MR. BALSAM: Nothing further. Thanks.

10   JUDGE RINGLER: All right. Yes, of course. And any

11 redirect?

12   MS. SNELLING: Yes, Your Honor.

13   REDIRECT EXAMINATION

14 BY MS. SNELLING:

15 Q.   So, Rachel, in the beginning of the cross examination,

16 respondent asked if you obtained permission to close the store,

17 cafe. And you responded "Yes". And then respondent asked if -

18 - if you did that because you had to and you responded "Yes,

19 for safety".

20 A.   Yes.

21 Q.   So, what did you mean?

22 A.   So there were instances where we would be scheduled three

23 people. And I had one person call out, which means there was

24 two. And the Tonawanda store had four different ways to order

25 and would need one floater, so we were already down. So, at

1 that point I just wasn't comfortable running the store with

2 myself and one other person, and I called Hannah and said,

3 "Listen, I don't get to anybody in until around 4. If I could

4 close the lobby down for about two hours, just because we just

5 can't handle it by ourselves". And it -- it just didn't -- it

6 didn't feel like a safe situation to have only two of us there

7 alone.

8 Q. So, when you said you had to, you meant forced because of

9 the safety?

10   MR. BALSAM: Objection.

11   JUDGE RINGLER: Let me hear the question again.

12 BY MS. SNELLING:

13 Q. I said -- so when you said you had to, it was in reference

14 to closing the lobby for safety.

15   MR. BALSAM: She's testified already. Objection.

16   JUDGE RINGLER: Yeah. You're -- you're also leading

17 her pretty badly. And she sure was.

18   MS. SNELLING: Okay. That's fine, Your Honor.

19 Withdrawn.

20 BY MS. SNELLING:

21 Q. Rachel at the Tonawanda store -- why were you working at

22 the Tonawanda store?

23   MR. BALSAM: Objection. That's an answer.

24   MS. SNELLING: I -- I mean, respondent touched upon

25 the Tonawanda location a lot and in the cross examination. So,

1   I would like to clarify who was working at the Tonawanda

2   location specifically so that we could kind of clarify --

3   JUDGE RINGLER: Didn't we cover that with the -- that

4   whole contract agreement?

5   MS. SNELLING: I -- we did in part, Your Honor. I --

6   JUDGE RINGLER: So, is there something new that maybe

7   I'm missing?

8   MS. SNELLING: Potentially, Your Honor. In -- in my

9   mind -- yes.

10   JUDGE RINGLER: Okay. Go ahead. You could ask the

11 question.

12   MS. SNELLING: Okay.

13 BY MS. SNELLING:

14 Q.   So, when Sheridan and Bailey employees transferred to the

15 store, who was already working there?

16 A.   There was nobody there at the time.

17 Q.   Okay. So how would you describe then the Sheridan and

18 Bailey partners transfer?

19   MR. BALSAM: Objection, relevance.

20   JUDGE RINGLER: I'll -- I'll allow it. Go ahead.

21 BY MS. SNELLING:

22 A.   So, when we did our bargaining call on May 26th, because

23 it was so close to the day of our -- our store being shut down

24 on June 2nd -- or June 6th rather. Alan came up with this very

25 quick. Let's get everybody to one store just so we don't have

1 to split hers and split people up.

2   The Tonawanda store is maybe a mile from the Sheridan

3 store, so it would be easier for transport. And the partners

4 at the Tonawanda store were at Lancaster Regal Store at the

5 time because they had been very short staffed. So, we can just

6 go in there, help it open and maintain our hours, and then just

7 go back.

8 Q.   Okay. So, when you transferred to Tonawanda, what -- what

9 if any differences were there?

10   MR. BALSAM: Objection, vague.

11   JUDGE RINGLER: Sustained. You could ask regarding X

12 or Y or Z.

13   MS. SNELLING: Yes.

14 BY MS. SNELLING:

15 Q.   So, what if any changes were made to management when you

16 moved to the Tonawanda store?

17   MR. BALSAM: Objection, beyond the scope of cross.

18 And talking about changes to what sort of an --

19   JUDGE RINGLER: I think that's true. So, I'll

20 sustain.

21 BY MS. SNELLING:

22 Q.   And did you work with any new people when you moved to the

23 Tonawanda location?

24   MR. BALSAM: Objection, irrelevance. And beyond the

25 scope of cross.

1   MS. SNELLING: It's very relevant, Your Honor.

2 Respondent's theory is that the Tonawanda location was a

3 completely different store when in reality it was -- it was

4 just a new location.

5   JUDGE RINGLER: Okay. I'll allow the question.

6   MR. BALSAM: It's also beyond scope of cross.

7   JUDGE RINGLER: I'll -- I'll permit it. You've

8 already kind of gotten into that a little bit, so go ahead.

9 BY MS. SNELLING:

10 A.   No, there was nothing new there.

11 Q.   And did you have any other managers besides Hannah?

12   MR. BALSAM: Objection, vague. Also, beyond scope of

13 cross.

14   JUDGE RINGLER: Sustained.

15   MS. SNELLING: Okay. Okay. No further questions,

16 Your Honor.

17   JUDGE RINGLER: All right.

18   MR. BALSAM: I'm good.

19   MR. HAYES: No questions.

20   JUDGE RINGLER: Good. We're set. Okay. Good.

21 Thank you very much. You're excused. Please do not discuss

22 your testimony with anyone.

23   THE WITNESS: Sure.

24   JUDGE RINGLER: And so, we've got -- that 1210 --

25   MS. SNELLING: Actually, Your Honor, we do actually

1 have one thing. Are we off the record yet?

2   JUDGE RINGLER: We are not.

3   MS. SNELLING: Okay.

4   JUDGE RINGLER: We're not, we're about to be, but --

5 what do you got?

6   MS. SNELLING: We would like to enter in -- GC

7 Exhibit 48? This is a highlighted version of the AlJB from

8 Buffalo One. And this is highlighted as Ms. Cohen did testify

9 in Buffalo One.

10   (General Counsel's Exhibit GC-48 identified.)

11   MR. BALSAM: Objection, obviously.

12   JUDGE RINGLER: Of course. I just want to see where

13 some of the highlights are. So where -- where are the a --

14   MS. SNELLING: I don't have a copy of me, Your Honor.

15 The Sheridan -- if this helps, the Sheridan and Bailey store

16 was involved in Buffalo One. So most likely the testimony --

17 close to where that is in the ALJB.

18   JUDGE RINGLER: You know -- and this is just a very

19 brief locket and this is just an editorial comment. I'm going

20 to handle this of course the same way I've handled the other

21 stuff.

22   MS. SNELLING: Mm-hmm.

23   JUDGE RINGLER: But just looking at your highlights

24 on pages 88 to 91 for example, doesn't seem to have any bearing

25 at all or connection to our complaint. So that's just a – no,

1 I'm not sure the basis for really all the highlights and -- and

2 you know, the short look that I've given this in terms of a

3 connection to the complaint. But I mean that's -- that is what

4 it is.

5 So, I'm going to reject GC 48 and we'll put that in

6 the rejected exhibit folder. Now, we had a discussion about

7 the -- the length of the lunch break. How long do you feel you

8 need?

9 MR. GOODE: Can we have an extra like -- we -- we'd

10 be off until 1:30 p.m., Judge?

11 JUDGE RINGLER: Sure. Okay. We can definitely do

12 that.

13 MR. GOODE: I -- I didn't need anything too long.

14 JUDGE RINGLER: Yeah. Okay. 1:30 -- or 1:30 p.m.

15 will work for everyone. Okay. We'll go back on the record at

16 1:30 p.m..

17 MR. GOODE: Thank you Judge.

18 JUDGE RINGLER: All right. Yes, you're welcome.

19 (Brief recess at 12:14 p.m./ Reconvened at 1:31 p.m.)

20 JUDGE RINGLER: All right, we're back on. Took a

21 nice lunch break and it is 1:30 p.m. So, we're going to

22 continue if our next GC witness. So, who do we have?

23 MR. GOODE: William Westlake.

24 JUDGE RINGLER: All right. Mr. Westlake -- first and

25 foremost, you're ready -- you're anticipating my moves? I'm

1 just going to ask you to spell your name first and last.

2 First.

3   THE WITNESS: First. It's William Westlake. That's

4 W-I-L-L-I-A-M W-E-S-T-L-A-K-E.

5   JUDGE RINGLER: Perfect.

6 Whereupon,

7   WILLIAM WESTLAKE,

8 was called as a witness having been previously duly sworn, was

9 examined and testified as follows:

10   THE WITNESS: Thank you.

11   JUDGE RINGLER: All right. And so, for William

12 Wesley, what complaint paragraphs is he going to testify about?

13 And that's not a question for you. That's for the attorneys.

14   MR. GOODE: Judge. We have -- it's essentially all of

15 paragraph 8, so they -- you know A and D go together, B and E,

16 C and F, but it's effectively all of paragraph eight.

17   JUDGE RINGLER: Okay.

18   MR. GOODE: 9(A), 9(B), 9(C), (D), (G), (H), (I),

19 (J), (K).

20   JUDGE RINGLER: Okay. Let me just catch up for just

21 a -- a moment and jot down on the complaint. what you're going

22 to testify about and we'll get started. Okay. Your witness.

23   MR. GOODE: Thank you, judge.

24   JUDGE RINGLER: You're welcome.

25   DIRECT EXAMINATION

1	BY MR GOODE:
2	Q. Hi, Will?
3	A. Hi.
4	Q. What are your pronouns?
5	A. HE/HIM
6	Q. Will, have you worked for Starbucks?
7	A. Yes.
8	Q. When did you first begin working for Starbucks?
9	A. That would've been the end of May 2021.
10	Q. What store did you begin working at?
11	A. That was the Camp Road store. Located --
12	Q. Where's -- where was that located?
13	A. In Hamburg.
14	Q. Is that considered your home store?
15	A. Yes.
16	Q. At the time you were hired in, who was your store manager?
17	A. It was David Fisk.
18	Q. Are you currently employed by Starbucks?
19	A. I am not.
20	Q. Why is that?
21	A. I was fired or separated from the company.
22	Q. When did that occur?
23	A. That was on October 4th, 2022.
24	Q. At the time of your discharge, who was your store manager?
25	A. It would've been Alex Roche. But there was also a store

1 manager who was I -- I -- I think also some somewhat -- there -

2 - which was Samantha Hamilton.

3 Q.   What were you involved -- in the union campaign that began

4 in August of 2021?

5 A.   Yes.

6 Q.   And how did you become involved?

7 A.   I signed the original letter to Kevin Johnson, joined the

8 initial organizing group, committee, handed out authorization

9 cards to coworkers, spoke up in meetings. And if I'm still

10 answering, also working in pens.

11   JUDGE RINGLER: I'm sorry, I didn't catch that.

12   THE WITNESS: If it was -- if I'm still answering, I

13 was saying I also -- working in pens on the floor.

14   JUDGE RINGLER: Okay.

15   MR. GOODE: Well, I'm showing you what's been marked

16 in the middle of this document is GC Exhibit 49. And for the

17 record, Your Honor, you'll see on the right-hand GC exhibit 3.

18 Just for purpose of the record, this was pulled from the

19 Buffalo one record.

20   (GC Exhibit 49 identified)

21   JUDGE RINGLER: Okay.

22   MR. GOODE: But for this case, the middle is GC

23 exhibit 9 -- 49.

24 Q.   Will, do you recognize this document?

25 A.   I do.

1 Q. Okay. What is this?

2 A. This is the original Dear Kevin letter, published by the

3 organizing committee in Buffalo, in August of 2020.

4 Q. Okay. And does your name appear on this document?

5 A. It does.

6 Q. Where at?

7 A. On the second page. It's the second name.

8 Q. And if you look at page 3, do you recall or do you know

9 what that document is?

10 A. Yes.

11 Q. What's that?

12 A. These are the fair election principles, which we had asked

13 Kevin Johnson to sign at the time.

14 Q. And did that accompany the -- the letter to Kevin Johnson?

15 A. It did.

16 MR. GOODE: Your Honor, I move for the admission GC

17 49.

18 JUDGE RINGLER: All right. Any objection to GC 49?

19 MR. BALSAM: Voir Dire.

20 JUDGE RINGLER: Go ahead.

21 VOIR DIRE

22 BY MR. BALSAM:

23 Q. Mr. Westlake, on what date was this document allegedly

24 sent to Starbucks?

25 A. I don't know exactly. I would say it would -- it was end

```
 1  of August.  It could have been the first week of September.

 2  Q.   And how was it sent to Starbucks?

 3  A.   That I wouldn't know.

 4  Q.   Did you not participate in the transmission of this

 5  document to Starbucks?

 6  A.   I participated -- I was -- I did not -- I was not the

 7  person who actually sent it.

 8  Q.   Do you have any knowledge as whether or not Starbucks

 9  actually received this communication?

10  A.   I do.

11  Q.   How do you know that?

12  A.   Because I was informed such by -- by the people who

13  actually sent it, which would've been Jessica Zach.

14          MR. BALSAM:  No objection.

15          JUDGE RINGLER:  All right.  We're going to admit GC

16  49.

17          (GC Exhibit 49 was admitted into evidence)

18  Q.   Will, I'm going to direct your attention to January of

19  2022.  Were you working for Starbucks at that time?

20  A.   Yes, I was.

21  Q.   Okay.  Were you physically in the stores at that time?

22  A.   For the beginning part of January, I believe I was but I

23  went on a medical leave due to a workplace injury and was on

24  workman's comp for the majority of January.

25  Q.   Okay.  How long did your leave last?
```

1 A.   I would say about four months.

2 Q.   In January, Will, did you make any requests to transfer

3 stores?

4 A.   Yes.

5 Q.   Okay. Take us through what requests you made.

6 A.   Yes. So, there are two different ways that I made

7 requests. The first was using Starbucks's portal that they

8 have. I'm forgetting the exact name of the domain right now,

9 but basically you log in, it's attached -- associated with your

10 employee account.

11 All of the different job postings are present on the retail

12 side. Although there's a separate section for a non-retail and

13 I clicked on several different positions within the Buffalo

14 market and applied to be a three step of scores while working

15 at Camp Road.

16 Q.   Let's just step back for a second. So do you read -- do

17 you know what website you went to to do this?

18 A.   I -- I know that it's the Starbucks talent acquisition. I

19 think it's maybe like starbucks.taleo, but I don't know the

20 exact name at this time.

21 Q.   Okay. And how did you actually apply for other openings?

22 A.   So basically, the way the website works is you set up your

23 profile. It saves resume, cover letter, and standard

24 information. You have the opportunity to edit those things

25 with any application to you know, personalize it to position.

1 But it will kind of just give you a list and you can filter

2 through by geography, position, all sorts of criteria.

3 And so, with each one, I would click on it and then basically

4 click through like the next steps and submit an application.

5 Q.   Do you recall which stores you -- you made request to

6 transfer to?

7 A.   Well, so I'll -- I'll also say the -- the second way --

8   MR. BALSAM: Objection.

9   MR. GOODE: We'll -- we'll get there.

10   JUDGE RINGLER: Sustained.

11 BY MR. GOODE:

12 Q.   Do you recall what stores?

13 A.   Yes. I applied in 2022 to the Elmwood location, Genesee

14 Street, Sheridan and Bailey, Williamsville Place, Transit

15 Commons, Transit in Maple. And I think that is most of it.

16 And maybe a couple more.

17 Q.   And just for the record, are all those stores in the

18 Buffalo market?

19 A.   Yes.

20 Q.   You -- you mentioned there was a second way that you would

21 request transfer. Can you explain that?

22 A.   Yes. The second way was by talking to both my store

23 manager and the store managers at all other locations that I

24 was prospecting to transfer to.

25 Q.   Okay. So, let's start in the January 2022 timeframe. Did

1 you make any calls to a district manager at that time?

2 A.   Yes.

3 Q.   Okay. And who did you call?

4 A.   That would've been MK.

5 Q.   And did MK answer your phone call?

6 A.   No, I left a voicemail and then also sent a text message.

7 Q.   Did you get a response from MK after leaving your

8 voicemail?

9 A.   No.

10 Q.   Do you recall what you said in your voicemail?

11 A.   Basically, just that I had applied to transfer to

12 different locations. I was hoping to get some support in

13 overseeing that process. MK had made clear in person multiple

14 times that I should go to her if there was ever something that

15 I needed help with. And this was something where I had been

16 waiting around for a few weeks, wasn't getting a response, and

17 so I contacted her directly.

18 Q.   And did you ever get a, a response from MK?

19 A.   No.

20 Q.   Do you know what eventually happened to your transfer

21 request made through online?

22 A.   I believe they all expired.

23 Q.   Did you ever get a response to those transfer requests

24 from Starbucks?

25 A.   No.

1 Q. All right. Are you fam -- are you aware of any employee

2 whose transfer requests were completely ignored?

3 A. No.

4 Q. Approximately when did you return from your leave of -- or

5 your -- your leave?

6 A. So I returned from medical leave, I would say about April,

7 2022.

8 Q. Towards the-- what part of the month, if you had to

9 recall?

10 A. I -- I think toward the end.

11 Q. Okay.

12 A. And then was not scheduled for a few weeks after that.

13 So, the timeline's a little bit shifted in the few weeks there.

14 Q. And at that time, who was the store manager at that time?

15 A. It was Tanner Ress.

16 Q. Do you recall approximately when you first went back into

17 the store?

18 A. I would say that it was May of 2022.

19 Q. And can you take us through what you recall your first day

20 back in the store?

21 A. Yeah. So, I had reached out to Tanner by text about sort

22 of doing a walkthrough of the store just to familiarize myself

23 with it after being gone for a few months. I had gone in where

24 we had a discussion in the café and then did the walkthrough

25 afterwards.

1	Q.	Okay. Where did that discussion take place?
2	A.	That would've been in the Cafe of Camp Road.
3	Q.	Where were -- where particularly?
4	A.	In the front of house, in the cafe, at the table.
5	Q.	Okay. And who do you recall was present for that
6		conversation?
7	A.	It was just myself and Tanner Ress.
8	Q.	Did you record that conversation?
9	A.	I did.
10	Q.	How did you record that conversation?
11	A.	With my cell phone.
12	Q.	Okay. And what type of cell phone did you have?
13	A.	I had a Google Pixel.
14	Q.	Okay. Is there a particular app that you used to record
15		the conversation?
16	A.	Just the recorder app.
17	Q.	To the best of your recollection, where was the phone when
18		you were recording this conversation?
19	A.	I believe it was just on the table that I just had it out.
20	Q.	Did you provide that recording of the NLRB?
21	A.	I did.
22	Q.	Did you alter that recording in any way?
23	A.	No.
24	Q.	If you listen to the recording, could you identify it?
25	A.	Yes.

1 Q.   Is that a complete recording of your conversation with

2 Tanner that day?

3 A.   Yes.

4 Q.   Have you seen a transcript for that recording?

5 A.   I have.

6   MS. SNELLING: Well, I'm showing you what's been

7 marked for the purpose of identification GC Exhibit 50(B).

8   (GC Exhibit 50(B)identified)

9 Q.   Please take a look at that exhibit. Let me know when

10 you're finished. What is this document, Will?

11 A.   This is a transcript of the recording that I provided.

12 Q.   Have you seen this transcript before?

13 A.   Yeah.

14 Q.   Did you make any edits to this transcript?

15 A.   I did.

16 Q.   What were you doing while you made those edits?

17 A.   I was listening to the recording.

18   JUDGE RINGLER: Hold on for one sec.

19 (Brief recess at 1:49 p.m./Reconvened at 1:49 p.m.)

20   JUDGE RINGLER: All right, continue counsel.

21 BY MR GOODE:

22 Q.   And Will, is this a fair and accurate transcript of your

23 recording of your conversation with Tanner?

24 A.   Yes.

25   MR. GOODE: I'm going to play what has been marked as

1   -- what is marked GC Exhibit 50(A).

2   (GC Exhibit 50(A) identified)

3   This has been emailed to respondent.

4   (Audio recording played.)

5   (Audio recording paused.)

6   Q.   All right. I'm stopping at four seconds. You identify

7   that voice --recording?

8   A.   Yeah, that was Tanner Ress.

9   (Audio recording resumed.)

10   (Audio recording paused.)

11 BY MR. GOODE:

12 Q.   And -- and do you recall, or do you identify that voice?

13 A.   It's all Tanner Ress.

14   (Audio recording resumed.)

15   (Audio recording paused.)

16 BY MR. GOODE:

17 Q.   All right, well I'm stopping for the record at 31 seconds.

18 Who are those two voices there?

19 A.   It's myself and Tanner Ress.

20   JUDGE RINGLER: Who said that's fair?

21   THE WITNESS: Me.

22   JUDGE RINGLER: Okay.

23   Audio recording resumed.

24   MR. GOODE: Stop recording at 6:31. All right, I can

25 represent that the last eight minutes, or as it says in here,

1 an audible walk through. I -- but I don't know if it if

2 everybody wants that to be played or not.

3   JUDGE RINGLER: I don't think it's necessary. You're

4 not offering it on the transcript and you're saying it's

5 inaudible. I think that's -- that's fine. So you're offering

6 50 (A) and 50 (B)?

7   MR. GOODE: Correct, Judge.

8   JUDGE RINGLER: All right. Any objection to GC

9 Exhibit 50 (A) and 50 (B) are transcripts?

10   MR. BALSAM: A voir dire?

11   JUDGE RINGLER: Okay.

12   VOIR DIRE

13 BY MR. BALSAM:

14 Q.   Mr. Westlake, how do we know the date that this recording

15 was made?

16 A.   I believe just from the phone file.

17 Q.   Do you have a phone file on your phone currently?

18 A.   I don't know if I do. Thank you.

19   MR. BALSAM: Judge, the transcript nor the file that

20 we displayed has any indication of the date in question, absent

21 that calls into question the authenticity of this -- this

22 recording and the transcript. If it's offered to prove that

23 there was a meeting that took place on a particular date. At

24 this point in time, we have no idea what that date is.

25   JUDGE RINGLER: So I think the meeting took place

1 from the testimony, if I'm correct, you said May of 2022, but

2 you don't know the exact date. Is that accurate?

3 THE WITNESS: Yes.

4 JUDGE RINGLER: Okay. I think that's -- that's

5 satisfactory for this purpose. Do you have any other object?

6 BY MR. BALSAM:

7 Q. Other than the National Labor Relations Board, who else

8 did you send a copy of the oil policy?

9 A. I know that I sent a copy of it to Josh, I did send that

10 to Bloomberg. I sent it to counsel for the Union, Hayes Dolce.

11 I can't think of anyone else I sent it to.

12 Q. And the copy of the audio files you sent it to Bloomberg,

13 Hayes Dolce and the National Labour Relations board the same?

14 A. Yes.

15 Q. And based on what we heard, there's been no modification

16 to the recording?

17 A. Correct.

18 MR. BALSAM: I have no objection, Judge.

19 JUDGE RINGLER: Okay. So we're going to admit GC 50

20 (A) and 50 (B).

21 (General Counsel's Exhibit 50(A) and 50(B) admitted

22 into evidence.)

23 JUDGE RINGLER: And counsel, just to be clear, the

24 transcript you believe is relevant to which specific complaint

25 issues. I know there's discussion of transferring there, so

1 that -- that's clear. It deals with that. Is there anything

2 else in there that you feel it's relevant towards?

3   MR. GOODE: It -- there is it -- we believe it's also

4 relevant to the enforcement of the dress code policy

5 projection.

6   JUDGE RINGLER: Okay. Okay. Okay. That was common

7 upon there as well. Okay. And certainly you folks, I'm sure

8 will -- will brief that for me, pro and cons, so at least I

9 know where you're coming from. Okay.

10 BY MR. GOODE:

11 Q. Well, there was discussion in -- in here, there was

12 discussion with Tanner about transfers that you had, transfer

13 request you had made --

14   MR. BALSAM: I -- objection to the form. The word

15 transfers. There was never a discussion about multiple

16 transfers. There was only a discussion about one transfer

17 request transfers relating to what took place in that

18 transcript.

19   JUDGE RINGLER: I'll allow the question. Do you

20 understand what he means?

21   THE WITNESS: Yes.

22   JUDGE RINGLER: Okay.

23 BY MR. GOODE:

24 Q. Did Tanner ever follow up with you as he said he would?

25 A. Yes, he, we -- we -- we had continual conversations as I

1 continued applying to different locations to transfer. And at

2 one point I did also fill out the -- the like in-person

3 paperwork to submit, transfer across officially. But outside

4 of that, I never heard like a definitive no on any transfer

5 request or updates as to what could potentially be an issue

6 with the transfer.

7 Q.   Were you ever granted a transfer?

8 A.   No.

9 Q.   You -- you listed stores that you had made transfers to.

10 were any of those stores included in North Buffalo Market?

11 A.   Yes.

12 Q.   Now, did you ever follow up again with Mr. Reece and say,

13 Hey, you know, we talked about it. You seemed optimistic?

14 A.   Multiple times.

15 Q.   Multiple times. Okay. And what did he say back to you?

16 A.   Every time it was, yes, of course. Like, we'll -- we'll

17 get -- we'll get back to that, you know, we're working on that.

18 Of course, yes, it would be good.

19 Q.   So positive, but then nothing actually happened, kind of

20 thing?

21 A.   Correct.

22 Q.   Okay. Do you know when, oh, I'm sorry, Judge.

23   JUDGE RINGLER: No, no, no. I was all set. You're

24 good.

25   MR. GOODE: Okay.

1　BY MR. GOODE:

2　Q.　Do you know when Hannah started as the store manager?

3　A.　Yes.　It would've been about January or February of 2022.

4　　　　　MR. GOODE:　I'm going to show the witness GC-9.

5　　　　　JUDGE RINGLER:　Okay.　So you're showing GC-9.　All

6　right.

7　BY MR. GOODE:

8　Q.　Well, I'm showing you what's been previously admitted into

9　evidence as General Counsel Exhibit 9.　Do you recognize that

10　document?

11　A.　I do.

12　Q.　What -- what's depicted in that document?

13　A.　This is a packet of pins that was purchased for partners

14　at next door by another barista after we had lost a coworker at

15　Camp Road to suicide.

16　Q.　Do you know approximately when that incident occurred?

17　A.　That was in March of 2022.

18　Q.　Did you ever wear that pin at work?

19　A.　Yes.

20　Q.　Did you start wearing that pin when you first returned it

21　from your absence?

22　A.　I did.

23　Q.　How often, once you returned from your absence, did you

24　wear that pin at work?

25　A.　Every day.

1 Q.   And how did you wear that pin?

2 A.   On my apron.

3 Q.   Do you know approximately what part of your apron you wore

4 it on?

5 A.   Yeah, I -- I would say toward the top corner.

6 Q.   Which side?

7 A.   Usually right. Alternating with where my name tag was,

8 slides around the top.

9 Q.   Did there come a time when you were spoken to about that

10 pin by the employer?

11 A.   Yes.

12 Q.   Okay. And who did you first speak to about that pin?

13 A.   Yes. So after having worked with the pin for a couple of

14 weeks, I was approached by a shift supervisor at my store Gilad

15 Atif who had let me know that Tanner who was sitting in the

16 cafe had to instructed him to tell me to take off the pen or to

17 go and have a conversation with him. So I elected to go and

18 have the conversation and sat in the cafe.

19 Q.   Okay. And is this approximately May of 2022 still?

20 A.   Yes.

21 Q.   This conversation with Tanner, did you record the

22 conversation?

23 A.   I did.

24 Q.   Okay. And how did you record it?

25 A.   With my phone.

1 Q. And again, what -- what phone did you have?

2 A. It was a Pixel.

3 Q. And how did you record what -- did you use an app to

4 record?

5 A. Yes. The recorder app.

6 Q. And during the conversation, do you recall where the phone

7 was at?

8 A. It would've been in my apron pocket.

9 Q. Who was part of this conversation?

10 A. It was just myself and Tanner Reece and a little bit Gilad

11 at the very beginning of, but the conversation itself with just

12 myself and Tanner Reece, Gilad was speaking to me before that.

13 Q. Okay. And the recording that you made, is it the full --

14   does it capture the full conversation between yourself and

15   Tanner?

16 A. Yes.

17 Q. Did you edit that recording in any way?

18 A. No.

19 Q. And did you send that recording to the National Relations

20 Board?

21 A. I did.

22 Q. Okay. Thank you. I'm showing you what's been marked for

23 purpose of identification, as GC 51(B). Do you recognize that

24 document?

25 A. I do.

1 | Q. Okay. And what is that?

2 | A. This is the transcript of record from my second

3 | conversation with Hannah.

4 | (General Counsel's Exhibit GC-51B identified.)

5 | Q. And have you seen that transcript before today?

6 | A. Yes.

7 | Q. And did you make edits to that transcript?

8 | A. Yes.

9 | Q. What were you doing when you made edits to that

10 | transcript?

11 | A. I was listening to the recording.

12 | Q. Is this transcript a full and accurate transcript of your

13 | recording with Tanner?

14 | A. Yes.

15 | Q. If I played the recording for you made, would you

16 | recognize?

17 | A. Yes.

18 | (Audio recording resumed/ Audio recording paused)

19 | BY MR. GOODE:

20 | Q. Okay. I'm going to stop at five seconds. Did you

21 | recognize those voices?

22 | A. Yes. So the first voice is if my shift supervisor and the

23 | second voice is myself.

24 | MR. GOODE: Sure, let's go ahead

25 | (Audio recording resumed/Audio recording paused)

```
 1  BY MR. GOODE:

 2  Q.   Okay.  I'm going to stop at nine, two you seconds.  Do you

 3  recognize that additional voice?

 4  A.   Yes.  That's Skylar a barista at my store.

 5            (Audio recording resumed/audio recording paused)

 6  Q.   Who was that voice again?

 7  A.   That was Juan.

 8  Q.   Okay.  That was 17 seconds.

 9       (Audio recording resumed/audio recording paused)

10  Q.   And 20 seconds was that voice again?

11  A.   That's Skylar.

12            (Audio recording resumed/audio recording paused)BY

13  Q.   And at 29 seconds who said, hi, how are you?

14  A.   That was Tanner Reece.

15            (Audio recording resumed/audio recording paused)

16            MR. GOODE:  I offer for GC -- the recording is GC 51

17  (A) and this transcript is 51 (B), Judge.

18            JUDGE RINGLER:  Any objection?

19            MR. BALSAM:  Yes, but a voir dire before I object.

20            JUDGE RINGLER:  Yes.

21                          VOIR DIRE

22  BY MR. BALSAM:

23  Q.   Mr. Westlake, what date was this recording made?

24  A.   This would've been at, like, at the very end of May, 2022.

25  Q.   Do you have a precise date?
```

1 A.   Not at this time, no.

2 Q.   Do you have this recording?

3 A.   I don't know if I do so.

4 Q.   Do you have it on you?

5 A.   I do not.

6   MR. BALSAM: Judge, I'm going to object because I

7 think the timing of a lot of these conversations is -- is

8 critically important to establish a timeline events here that

9 led to Mr. Westlake's termination. And so absent having the

10 actual audio file where we could have like the actual date that

11 this recording was made. This morning they weren't produced.

12 This is not the best evidence. The best evidence is what is on

13 his -- his Google Pixel device.

14   JUDGE RINGLER: Right -- right. I -- I appreciate

15 that. But we do have testimony that it occurred on May the

16 22nd. He's identified that is the recording that he made on

17 approximately that date. We've listened to the recording --

18   MR. BALSAM: May -- May of 2022.

19   JUDGE RINGLER: Oh, May of 22. You're correct,

20 correct. We don't have an exact date for that. That is very

21 true. We've listened to the recording. We've compared the

22 transcript to the words on the recording. They match. I think

23 at this point, a proper foundation has been laid for this

24 exhibit.

25   MR. BALSAM: But absent -- absent evidence of when

1 this occurred.

2 JUDGE RINGLER: Well, we have evidence of when we

3 know it's a meeting at some point in May of 2020. Is you point

4 that out.

5 MR. BALSAM: Judge. Just hypothetically speaking, if

6 a Union campaign starts on August 23rd, 2021, let's use that as

7 an example, and a witness comes and testifies that on or about

8 the end of August '21, I did this and I was retaliating against

9 Union support, wouldn't it be important to know whether or not

10 that incident occurred before August 23rd or?

11 JUDGE RINGLER: Okay. But did this conversation

12 occur after or before the Union Organization?

13 THE WITNESS: I did not meet Tanner Reece until after

14 being unionized.

15 MR. BALSAM: Okay. Judge, I'm using that as an

16 example, it's not --

17 JUDGE RINGLER: Well, but it's not an appropriate

18 example, so I don't want to go back and forth, but I'm

19 admitting it. You could certainly take exceptions to my

20 admission. That's your prerogative. So we're going to admit,

21 51 (A) and (B).

22 (General Counsel's Exhibit 51 (A) and 51(B) admitted

23 into evidence.)

24 JUDGE RINGLER: And now counsel, once again, same

25 question. Relevance of this exhibit? I just want to make sure

1 there's not something else you want to use this for that I'm

2 not realizing?

3   MR. GOODE: No, it -- it relates to the -- the pin

4 policy.

5   JUDGE RINGLER: Okay.

6   MR. GOODE: And how that policy was enforced and

7 ultimately leads to no -- I don't want to.

8   JUDGE RINGLER: Okay. That's -- that's fine. Thank

9 you.

10 BY MR. GOODE:

11 Q. Now, well there was discussion in that recording about

12 following up with Tiffany.

13 A. Yes.

14 Q. Do you recall that? Who is -- who is Tiffany?

15 A. Tiffany Mane was a support manager that came into Buffalo

16 after the Union campaign had started, was posted, I think

17 initially at the Dupuse store or at least that's why -- when I

18 first became aware of her and as referenced in the recording,

19 she was promoted to district manager when MK departed.

20 Q. So as of May, 2022, she was the district manager?

21 A. Yes.

22 Q. And were you able to have a conversation with Tiffany?

23 A. Yes, I was.

24 Q. And approximately when did that conversation occur?

25 A. I don't remember precisely if it was the next day or the

1 next weekend, but it was one of those two.

2 Q. Was it in May of 2022?

3 A. Either the end, very end of May or very beginning of June

4 that will be.

5 Q. And how did you connect with Tiffany?

6 A. She called me on the store phone.

7 Q. Okay. So were you working that day?

8 A. I was.

9 Q. And when she called, where were you working?

10 A. I was working on the drive-through taking orders and

11 handing them out through the window, and then when she called

12 me, I went into the back of house to take the phone call.

13 Q. Were you expecting her to call that day?

14 A. I was.

15 Q. And did you have the conversation with Tiffany over the

16 phone?

17 A. I did.

18 Q. Did you record that conversation?

19 A. I did.

20 Q. And how did you record that conversation?

21 A. With my cell phone.

22 Q. And what phone did you have?

23 A. It was a pixel.

24 Q. And again, how did you make the recording?

25 A. So I put the store phone onto speaker and had my cell

1 phone just in my other hand.

2 Q. Okay. And was there a particular app that you used to

3 make the recording?

4 A. Yes, it was the voice recorder app.

5 Q. Okay. When did you start your phone recording that day?

6 A. I had started it when I got on the shift because I wasn't

7 sure exactly when Tiffany was going to call me or what the

8 circumstances would be, and I wanted to make sure that I had it

9 recorded.

10 Q. And when did you end the recording?

11 A. After I finished my conversation with Tiffany.

12 Q. Did you send -- did you edit that recording at all?

13 A. I did.

14 Q. Okay. Explain what you edited?

15 A. I cut out about an hour of me on drive through by myself.

16 Q. And did you ultimately send a version of that recording to

17 the NLRB?

18 A. I did.

19 Q. Okay. Did you send the full version or the edited

20 version?

21 A. I sent the edited version.

22 Q. Was there any discussion in the edited portion between

23 yourself and Tiffany?

24 A. No.

25 Q. Is the version that you sent to the NLRB have the full

1 | discussion between yourself and Tiffany?

2 | A.   Yes.

3 | Q.   Did you make any edits to the section of the recording

4 | that's between yourself and Tiffany?

5 | A.   No.

6 | Q.   Have you seen a transcript of that edited recording?

7 | A.   I have.

8 | Q.   I'm showing you what's been marked for purpose of

9 | identification 52(B). Okay. Do you recognize this?

10 | A.   I do.

11 | Q.   What is this?

12 | A.   This is the transcript of the recording that I made of the

13 | conversation between myself and Tiffany Mane.

14 | (General Counsel's Exhibit GC-52B identified.)

15 | Q.   And -- and is the -- your full conversation with Tiffany,

16 | depicted in this transcript?

17 | A.   Yes.

18 | Q.   Did you make edits to this transcript?

19 | A.   I did.

20 | Q.   And what were you doing when you made those edits?

21 | A.   I was, listening to the recording.

22 | Q.   And if I play the recording for you, would you recognize

23 | it?

24 | (Audio recording resumed/audio recording paused)

25 | Q.   I'm actually going to stop at three. Will, if -- if you

1 recall, what's taking place at the beginning of this recording?

2 A.   I am taking orders of the drive-through.

3 Q.   Okay. And at some point, does the call from Tiffany come

4 in?

5 A.   Yes.

6 Q.   Okay.

7   (Audio recording resumed/audio recording paused)

8 Q.   I'm stopping at 1:40, whose voice was that we just heard?

9 A.   That was Haley Gosek, my shift supervisor.

10   (Audio recording resumed/audio recording paused)

11 Q.   Stopping at 1:45. Who just said Tiffany's on the phone

12 for you?

13 A.   That was Haley Gosek.

14 Q.   Okay.

15   (Audio recording resumed/audio recording paused)

16   JUDGE RINGLER: Do you want to say something?

17   THE WITNESS: I was just going to note, and I put it

18 in the transcript as well, but -- her maiden name is Sansouci

19 (phonetic) in case there's confusion over different records

20 because the name change happened.

21   JUDGE RINGLER: I see.

22   THE WITNESS: While there were other charges be filed

23 and so I noticed discrepancy other places.

24   JUDGE RINGLER: Okay. Thank you.

25   MR. GOODE: Just for the record, that was stopped at

1   1:49.

2   JUDGE RINGLER: All right.

3   (Audio recording resumed/Audio recording paused.)

4   BY MR. GOODE:

5   Q.   And whose voice did we just hear there?

6   A.   (Indiscernible.)

7   (Audio recording resumed.)

8   Q.   Okay. I will -- that audio recording that we just

9   listened to was that the full -- or the full recording of your

10   conversation with Tiffany on that day?

11   A.   Yes.

12   MR. GOODE: I move for the admission of GC-52 A and

13   B, Judge.

14   JUDGE RINGLER: All right. Voir dire?

15   MR. BALSAM: Yes.

16   VOIR DIRE

17   BY MR. BALSAM:

18   Q.   Mr. Westlake, what was the date of the conversation you

19   had with Ms. Mann that we just heard?

20   A.   I don't know exactly, but it was the day after the

21   previous recording it, following up on my conversation with

22   Tanner, where he was mentioning Tiffany's availability.

23   Q.   Okay. In the recording, we heard Ms. Mann reference an

24   upcoming Monday holiday. Do you know which holiday she was

25   referring to?

1 A. No. I -- I don't know.

2 Q. Could it have been Memorial Day?

3 A. It -- I don't know.

4 Q. Was this recording made before Rep and Memorial Day 22?

5 A. I wouldn't know.

6 Q. Do you have a copy of this recording on your cell phone?

7 A. I don't know.

8 Q. You testified earlier that you edited portions of this

9 recording, correct?

10 A. Yes.

11 Q. And you testified that the transcript that we just -- that

12 I have in front of you, which is GC Exhibit number 52, is a to

13 complete transcript of all of your conversations with Ms. Mann;

14 is that correct?

15 A. Correct.

16 Q. There's no parts of the recording that you had with Ms.

17 Mann that was edited?

18 A. No.

19   MR. BALSAM: No objection, Judge.

20   JUDGE RINGLER: All right. Will admit 52 A and B.

21 And Counsel, just a question. Memorial Day is that -- it's

22 usually a Monday right?

23   (General Counsel's Exhibit GC-52A and B received.)

24   MR. GOODE: In May.

25   JUDGE RINGLER: Do we want to stipulate that's the

1 holiday he was referring to?

2   MR. GOODE: I -- I don't want to, I, I'm happy to

3 stipulate to that, but I would propose that stipulation --

4   THE WITNESS: Is Memorial Day, like the last week of

5 --

6   JUDGE RINGLER: Yeah. Memorial Day would usually be

7 the end of May. I usually think it as like --

8   THE WITNESS: Okay.

9   JUDGE RINGLER: -- on of May 31 or so, but we could

10 look up when it was.

11   MR. BALSAM: It was on Monday, that's why I'm asking.

12 It was Monday, May 30th. It was Memorial Day, 20 --

13   JUDGE RINGLER: So May in 2022?

14   THE WITNESS: That -- that seems reasonable to the

15 timeline that I have.

16   JUDGE RINGLER: Okay. Okay. So approximately May

17 30th is -- is the Monday, so this is sometime before that

18 Monday.

19   THE WITNESS: It would've been the weekend before.

20   JUDGE RINGLER: The weekend before. Okay. Perfect.

21 All right. So you folks stipulate?

22   MR. GOODE: I will stipulate, Judge.

23   MR. BALSAM: Just so I'm clear, when we say the

24 weekend before, are we referring to that Saturday, two days

25 before the Monday or --

1   JUDGE RINGLER: I'm not, I'm not certain. I -- I

2 think we were just stipulating to the holiday that is being

3 referred to is Memorial Day, which was --

4   MR. BALSAM: I'm willing to stipulate to that.

5   JUDGE RINGLER: Okay.

6   MR. BALSAM: But I guess I just want to make sure I

7 have the timing of this.

8   JUDGE RINGLER: And then we can ask a file question

9 and figure out what weekend and we're talking about exactly.

10 So we've got a stepe that May 30th, 2022 is the -- is the

11 Monday holiday that we're referring to. So that that's good.

12 Correct?

13   MR. BALSAM: Correct.

14   JUDGE RINGLER: And correct.

15   MR. BALSAM: Here's the date, another Monday holiday

16 that I'm aware of.

17   JUDGE RINGLER: Okay. There you go. And that's --

18 that's, I'm aware of that as well. All right. So now when you

19 say the weekend before, are you talking the weekend immediately

20 before or the weekend -- two weekends before?

21   THE WITNESS: So I know that my schedule at the time

22 --

23   JUDGE RINGLER: If you know. And I'm not asking you

24 to kind of piece together, just if you remember.

25   THE WITNESS: Well, I -- I just know that my schedule

1 at the time was that they were putting me down for weekends

2 because I was still on somewhat limited work because of

3 recovering from the injury. And also from the first recording

4 Tanner referencing that there weren't very many hours available

5 for me at my store anymore.

6 And so yeah. I -- I would think that it was the

7 weekend right before. If she's -- if she's saying upcoming

8 Monday, but I -- again, I just know really that these

9 recordings for the most part were the last week --

10 JUDGE RINGLER: Okay.

11 THE WITNESS: Couple -- like the last couple of

12 weekends in May of 2022.

13 JUDGE RINGLER: All right. Fair to say -- I'll just

14 say I wrote in my notes a weekend shortly before Memorial Day;

15 is that fair?

16 THE WITNESS: That's fair.

17 JUDGE RINGLER: Okay.

18 THE WITNESS: Thank you.

19 JUDGE RINGLER: Okay. Yes. You're welcome. Go

20 ahead.

21 BY MR. GOODE:

22 Q. There was discussion in your conversation with Tiffany

23 about an accommodation, did you ever receive any follow up

24 about an accommodation from anybody with Starbucks?

25 A. Yeah. So my store manager contacted me later, Tanner

1 Reece, saying that he had actually put in an accommodation

2 request on my behalf.

3 Q.   Okay. Did you talk to him about that?

4 A.   He had left a voicemail on my phone and I think we talked

5 about it more over text.

6 Q.   Okay. Do you recall approximately how long after this

7 conversation with Tiffany that you received that voicemail?

8 A.   I'd say a week, week and a half, maybe two weeks.

9 Q.   How did you -- or on what phone did you receive this

10 voicemail?

11 A.   My -- my personal cell phone, it's a Pixel --

12 Q.   And at the time in June of -- or in that May, June

13 timeframe, what phone were you using?

14 A.   It was a Google Pixel.

15 Q.   Okay. And what -- what phone number is associated with

16 that phone number?

17 A.   315-744-0030.

18 Q.   Okay. And how do you -- is there a place on your phone

19 that voicemails are recorded?

20 A.   Yeah. On the phones app, there's a tab for voicemails

21 that are left. Fairly standard.

22 Q.   Okay. Are you able to send those voicemails to other

23 parties?

24 A.   Yes.

25 Q.   Okay. Typically, how can you do that?

1   A.   I believe what I had to do is I had to download it onto my

2   phone, and then I don't know if it ever went through email or

3   if it was just direct to Dropbox where I submitted it to the

4   NLRB, but --

5   Q.   My next question, did you send that to the NLRB?

6   A.   I did.

7   Q.   If you listened to that voicemail, would you recognize it?

8   A.   I would.

9   Q.   Okay. I'm a little bit out of my number in here, so I'm -

10   -

11   A.   Okay.

12   Q.   I'm going to be playing, what is -- what I have circulated

13   to the Respondent. This is GC-56. Okay. We don't have a

14   transcript of this recording, Judge. It's a short voicemail.

15   (General Counsel's Exhibit GC-56 identified.)

16   The -- the witness will identify the voice and we're

17   -- we're going to ask that it be that the -- the transcription

18   service, transcribe it into the records. I -- I do know that

19   we had a conversation earlier about transcript, Judge and I --

20   I can, I can share that.

21   We're -- there's a concern on our part that if we as

22   the Board agents draft that transcript, we're inserting

23   ourselves essentially into the facts of the case. And we --

24   because of that, we would like the transcription service to --

25   to transcribe what is heard on the voice reporting.

```
1              JUDGE RINGLER:  It's common in the old days, but,
2    okay.  If that's the, the new concern we'll have to --
3              MR. BALSAM:  Judge?
4              JUDGE RINGLER:  Yes?
5              MR. BALSAM:  I have an objection to that.  First --
6    first and foremost, you gave a ruling in an order for them to
7    be -- to do that, they didn't do it
8              JUDGE RINGLER:  Well, I don't know if I'd call it an
9    order.  I expressed how I wanted the evidence to be presented.
10   If he's --
11             MR. GOODE:  I noted that Respondent objected to us
12   providing a transcript.
13             JUDGE RINGLER:  If he's taking a position that
14   ethically -- I'm just saying.  He's --
15             MR. BALSAM:  He's interrupting me.  I'm not
16   interrupting you.
17             JUDGE RINGLER:  Okay.  If he's taking the position
18   that ethically he's been told by the supervisors at the Board
19   that you cannot do that, I'm now left for the choice of saying,
20   no, you didn't give me a transcript, A or B I still want to
21   develop, as I've said, repeatedly through, there's a full
22   record and a full picture of what happened.
23             So I can make a fair decision.  I'm probably left
24   with that at this point.  So we'll have two things.  We'll have
25   the transcription by our court reporter.  All right?  So be
```

1 very careful to make sure that we know that we need to

2 transcribe what's going to be played, how long is what's going

3 to be?

4   MR. GOODE: I think it's a -- a minute or less,

5 Judge.

6   JUDGE RINGLER: All right. And we've got that A and

7 then B, we've also got the recording itself as an exhibit,

8 should I admit that? And let that in. And then we have the

9 opportunity for somebody to make a motion to correct the

10 transcript or something like that, which you could certainly do

11 in your brief.

12   So I think we've got a mechanism under what are less

13 than stellar circumstances to -- to figure out a way to make it

14 work. So we'll -- we'll -- it hasn't been admitted yet. So

15 let's go through the exercise of having him identify it and --

16 and that kind of thing.

17   And we'll -- we'll go from there. But I -- I did cut

18 you off, so I want to make sure if there's something you wanted

19 to say and put in the record. I want to be able to -- I want -

20 - yeah, no. It -- it's fine. It's --

21   MR. BALSAM: Yeah. The solution, the easy solution

22 is that the counsel for the General Counsel should have done

23 what they've done with every other recording to date and

24 provided to a court reporting company to transcribe it.

25   I recognize that they're claiming there's limitations

1 to doing that, but there were limitations for every other

2 recording. And so the fact that we're treating this

3 differently is concerning to me.

4 I -- I'm not confident, no offense to the court

5 reporter, that the court reporter is going to be able to

6 transcribe accurately what is being said, because honestly, I

7 haven't even heard the recording.

8 JUDGE RINGLER: Right.

9 MR. BALSAM: I don't know.

10 JUDGE RINGLER: Right.

11 MR. BALSAM: And so the best way to solve this

12 problem is to table this, have them do what they should have

13 done to begin with, get it transcribed by a certified court

14 reporting company, and then we can come back and deal with it

15 until -- until that time --

16 JUDGE RINGLER: So what is the -- what is the

17 standard if a recording is under a minute in length, we're --

18 we're not going to do it. Even if it's -- it's kind of crazy.

19 Even if it's smoking gun evidence, we won't -- we won't pay for

20 a transcript. It could be, you know, the -- the game-winning

21 shot, basically. But if it's under -- if it's under a minute,

22 ain't going to do it. Is that -- is that the stance?

23 MR. GOODE: I -- I don't know, Judge. I -- I don't -

24 - I -- I'm sorry I don't have an answer for you. But --

25 JUDGE RINGLER: Okay.

1 -- to respond, I mean, the recording will -- if -- if it's

2 admitted to evidence. One, if it's rejected, Respondent

3 shouldn't have any issues. If it's admitted, well then the

4 recording is there. If the words are clear, Respondent can

5 tell us what they believe in their brief that says, or don't

6 say --

7 Yeah. And -- and the nice -- here's --

8   MR. GOODE: I don't see what the problem --

9   JUDGE RINGLER: Here's the other thing that's kind of

10 a nice thing, is we're going to have a hiatus here, roughly,

11 whatever it works out to be, three-week hiatus.

12   We're going to have a transcript available to

13 everyone before that. So if we -- when we come back, if

14 there's something that is, you know, not properly recorded in

15 the transcript, we could certainly deal with it on the record,

16 and Respondent could offer corrected transcript.

17   And I -- I'm certain that GC would be amenable to --

18 to putting that in. So without further ado, let's -- let's --

19 let's go forward on that. All right. I'm almost up to pad

20 number 2, so that means it's a long case. Just joking. Judge

21 joke. Keep going.

22   (Audio recording playing/Audio stopped)

23   MR. REECE: Hey, Will, it's Tanner.

24   (Audio recording stopped)

25 BY MR. GOODE:

 1 Q.   Will, do you know that voice?

 2 A.   Yeah.   That's Tanner Reece.

 3   JUDGE RINGLER: One more time for the record.   This

 4 is GC?

 5   MR. GOODE: This is GC-56, Judge

 6   JUDGE RINGLER: GC-56. Okay.

 7   (Audio recording played as follows:

)

 8   MR. REECE: I just saw your text message from

 9   last night. I did want to let you know technology and

10   partner relation was able to get that accommodation form

11   submitted for me on my end. So we did get it submitted.

12   Just wanted to make sure that you knew that.

13   So I just wanted to let you know that I am

14   taking the -- the -steps to make you feel supported. As

15   far as the feedback on the (indiscernible), I did

16   actually reach out to Tiff on that one, because I hadn't

17   actually in my time experienced that, and she did confirm

18   you're correct. So I appreciate that feedback. And I

19   level (indiscernible) all the records on that.

20   But yeah, keep the feedback coming and let me

21   know if you need anything else. But like I said, until

22   then if you can't work in dress code, you cannot work on

23   the floor. So I appreciate your feedback and I will talk

24   to you soon. Thank you.

25   (Audio recording ended.)

1 BY MR. GOODE:

2 Q. Will, was that the voicemail that you just testified

3 about?

4 A. Yes.

5 Q. Was that -- did you edit or alter that voicemail in any

6 way?

7 A. No.

8 Q. And is that the full voicemail you received from Tanner?

9 A. Yes.

10   MR. GOODE: Judge. I offer GC 56-into evidence.

11   JUDGE RINGLER: Voir dire?

12   MR. BALSAM: No voir dire, but I object to the

13 introduction of the -- to the voicemail audio recorded without

14 a transcript.

15   JUDGE RINGLER: Okay. Duly noted. And I'm not even

16 taking the stance, honestly. If Respondent wanted to create a

17 transcript because you feel that it's important to have a

18 transcript of the record beyond what the court reporter is

19 doing, that would be something I'd be open to considering as

20 well.

21   MR. BALSAM: Okay.

22   JUDGE RINGLER: So --

23   MR. BALSAM: Thank you. Okay.

24   JUDGE RINGLER: You're welcome. All right. So 56 is

25 admitted and we we'll -- we'll march forward.

1   (General Counsel's Exhibit GC-56 received.)

2 BY MR. GOODE:

3 Q.   Will, did you receive any further voicemails from Tanner?

4 A.   I believe so, yes.

5 Q.   Okay. And do you recall the subject matter of those

6 voicemails?

7 A.   I -- I think there was a -- a following voicemail. And

8 the reason I say I think instead of I know is I'm not sure if

9 it was covered over text instead, but basically confirming that

10 I was rejected from the accommodation request that the company

11 had filed on my behalf.

12 Q.   Do you recall how long after you would've received that

13 voicemail?

14 A.   A -- a week after the first about.

15 Q.   Okay. So are we still in the June, 2022 timeframe?

16 A.   Yes.

17   JUDGE RINGLER: Now, counsel, let me ask you a

18 question because our witness has now been test testifying for

19 about two hours. Is there a lot more of his testimony that is

20 left? If so, I think we'll take a -- a 10 minute break just to

21 give you a little break. And everyone a break. There is a lot

22 more?

23   MR. GOODE: Not this long. The -- you know, it won't

24 be another two hours, but --

25   JUDGE RINGLER: Right.

1   MR. GOODE: -- I believe there's a --

2   JUDGE RINGLER: A good hour or so?

3   MR. GOODE: Yeah. We won't be done in five, 10

4   minutes.

5   JUDGE RINGLER: Okay. Okay. Then let's -- it's

6   3:30. So let's go off the break -- off the record until 3:40.

7   JUDGE RINGLER: Okay. We're back on.

8   BY MR. GOODE:

9   Q.   Will, this follow up voicemail, what phone did you receive

10 that time?

11 A.   My same phone. My personal cell.

12 Q.   And so what phone number did you receive this?

13 A.   315-744-0030, my personal line.

14 Q.   Okay. And again is there a place on your phone that you

15 received these voicemails?

16 A.   Yes.

17 Q.   Okay. And is it -- can you describe where -- where you

18 received them?

19 A.   Yeah, it's on the phone app. Under a tab labeled

20 voicemail.

21 Q.   Okay. And did you provide this voicemail to that anybody

22 ?

23 A.   I did.

24 Q.   And did you provide it to the NLRB?

25 A.   I did.

1 Q.   If I played you the voicemail, would you be able to

2 identify it?

3 A.   Yes.

4   MR. GOODE: Judge, I'm going to play what is marked

5 as GC-Exhibit 57.

6   JUDGE RINGLER: Okay. And then with respect to these

7 voicemail exhibits specifically 56 and 57, are these on the

8 shared drive or did you email all of these to the --

9   MR. GOODE: I emailed them to Respondent.

10   JUDGE RINGLER: Okay. Did you email a copy to me as

11 well?

12   MR. GOODE: I have not. I will do that.

13   JUDGE RINGLER: Yes, please do so. And then

14 obviously, CC everyone when you do.

15   MR. GOODE: Would -- would you prefer it emailed or

16 put on there? They're small enough to be emailed, but do you

17 have a preference Judge, as whether they go on the shared

18 drive?

19   JUDGE RINGLER: If they're small enough to be

20 emailed, that would be better.

21   MR. GOODE: We'll do, Judge.

22   JUDGE RINGLER: Saves me a step. So that's -- that's

23 good. Okay. And then of course you've emailed them to court

24 reporter?

25   MR. GOODE: We will do that.

1   JUDGE RINGLER: We will, okay.

2   MR. GOODE: Definitely.

3   JUDGE RINGLER: Okay.

4   MR. GOODE: Okay.

5   (Audio recording playing.)

6   MR. REECE: Hi Will, Tanner.

7   (Audio recording paused.)

8   Q.   I'm stopping in three seconds. Again, Will, can you

9   identify that voice?

10   A.   Yes. It's Tanner Reece.

11   (Audio recording resumes.)

12   MR. REECE: Follow up with your question from

13   yesterday. The answer is no, but the legal absence is

14   not an indefinite thing. The decision has been made.

15   The policy is there are no personal pins allowed and

16   that the accommodation was not approved for medical or

17   related food event.

18   So the expectation is when you come to work,

19   then you work in dress code. If you're unwilling to do

20   so, then I would recommend that you do follow through

21   with a leave of absence, which is just giving you time

22   and space to support you to process it.

23   But the decision has been made. The decision is

24   not changing. National suicide awareness month, we will

25   gladly wear the pin. And you donate the community

1   involvement during that time to honor Catherine.

2   But as far as the pin goes, the decision has

3   been, and it is expected that you do work without the

4   pin or you take a leave of absence or you choose not to

5   work, and then it would become a time management issue.

6   So that is -- this is (indiscernible).

7   If you have any questions, just give me a call

8   and let me know if you're going to go through with the

9   leave of absence. Thank you.

10   (Audio recording stops.)

11   JUDGE RINGLER: All right. And I'm just going to say

12 for the record, so this is another exhibit where we would

13 expect that the court reporting service would provide a

14 verbatim transcript of what was said on the -- on what was just

15 played. With respect to the other exhibits where we have a

16 transcript, we could just simply say, you know, recording

17 played or something like that. We don't need that to -- that

18 to occur. But for 56 and 57, we need the -- the transcript of

19 it. Okay. So go ahead.

20 BY MR. GOODE:

21 Q.   Will, was that the entire voicemail you received from

22 Tanner?

23 A.   Yes.

24   (General Counsel's Exhibit GC-57 identified.)

25 Q.   Did you alter or edit that voicemail in any way?

1 A.   No.

2   MR. GOODE: Judge, I offer 57 into evidence.

3   MR. BALSAM: Voir dire.

4   JUDGE RINGLER: Go ahead.

5   VOIR DIRE

6 BY MR. BALSAM:

7 Q.   Mr. Westlake, what date did Mr. Reece leave this voicemail

8 for you?

9 A.   I don't know exactly. I think it would've been sometime

10 in June of 2022.

11 Q.   Do you know if it was the earlier or mid or late part of

12 June?

13 A.   I would guess early to mid. It wasn't -- it wouldn't have

14 been late I don't think.

15 Q.   Okay. Do you still have this voicemail on your cell

16 phone?

17 A.   I don't -- no, I don't.

18   JUDGE RINGLER: And if I'm not mistaken, maybe this

19 helps. I hope it helps. He did say a couple days later, I

20 thought. Am I correct on -- on that? Okay. So it doesn't

21 seem like it would be too far away from the first one.

22   MR. BALSAM: Judge, I -- I object that without a

23 transcript. This -- this video audio recording should not be

24 included in evidence, but I recognize you've already made a

25 ruling on the other ones.

1   JUDGE RINGLER: Mm-hmm.

2   MR. BALSAM: I expect it'd be the same here.

3   JUDGE RINGLER: Okay. No. I will admit 57, but

4 still the same invitation that if we -- we all look at the

5 transcript and you're comparing it and it seems like it's

6 wrong, I -- I would expect that, you know, all sides would

7 bring that to my attention and we'll fix it up.

8   (General Counsel's Exhibit GC-57 admitted.)

9   MR. BALSAM: Understood. Thank you.

10   JUDGE RINGLER: Okay. All right. So we admitted 57

11 and what else do we have?

12 BY MR. GOODE:

13 Q.   Will, in these various conversations, there's then

14 reference to suicidal awarenes -- awareness month. Do you know

15 what month that is?

16 A.   Yes. That is September.

17 Q.   And did you subsequently take a leave of absence?

18 A.   I did.

19 Q.   Okay. Approximately how long was that leave of absence?

20 A.   So it was a 30-day leave of absence, and then at the end

21 of that, they put me on the schedule three weeks out. So it

22 was closer to 51 days than 30, but the actual leave of absence

23 itself was 30 days.

24 Q.   Okay. Do you recall approximately the timeframe of your

25 leave of absence?

1 A.   Yeah. It would've been in June, July.

2 Q.   Okay. Do you recall when you returned to work from your

3 leave of absence?

4 A.   I believe it was July of 2022, around.

5 Q.   Now, when you returned to work did you return to the Camp

6 Road store?

7 A.   I did.

8 Q.   And at the time that you returned, who was your store

9 manager?

10 A.   So at that time my store manager was Samantha Hamilton.

11 There was a temporary manager as well who was overseeing that

12 transition, which was Melissa Garcia, who was the manager for

13 the DPU store, and was present in my store for a couple of

14 weeks interim.

15 Q.   And when you returned to work, did you continue wearing

16 the pin that's depicted in GC Exhibit 9?

17 A.   I did.

18 Q.   And when you returned, what happened?

19 A.   So basically each day that I went into work, I was told to

20 clock in. I was asked if I was going to remove the pin, I was

21 asked -- and then when I refused, I was asked to clock out and

22 then sent home.

23 Q.   Can you identify any of the individuals who would ask you

24 if you were going to remove the pin?

25 A.   Yeah. So it was the shift supervisors, the store

1   managers. We had a few over the period of, you know, months

2   that that went on. And also the assistant store managers if

3   there were any at the time.

4   Q.   Well, let's -- let's start with when you first returned in

5   -- in the beginning or during the time -- when you first

6   returned. Can you identify any of the individuals, those first

7   couple shifts?

8   A.   Yeah. So the first couple of shifts it would've been

9   Taylor, who was the assistant store manager at the time. She

10 had come in either right before my personal leave or during my

11 personal leave, I think. And so she -- she did the initial

12 coaching.

13 Q.   Do you know Taylor's last name?

14 A.   I don't. This is not Taylor Pringle, who was a support

15 manager in my store prior. And it's also not the second

16 Taylor, who was another support manager at my store. This was

17 a third Taylor, manager at my store.

18 Q.   Did you have any conversations with the assistant store

19 manager, Taylor, that you just referenced about the -- the pin?

20 A.   Yes. So I -- I had what's referred to as a verbal

21 coaching with her where she was -- well, I'll -- I'll leave.

22 Yes.

23 Q.   And -- and take me through that conversation.

24 A.   So I, much like would become routine. I had clocked in, I

25 was asked whether or not I was going to take off the pin. I

1 said no, I was told to clock out.

2   And there was a conversation where basically Taylor

3 had talked to me about like what it meant to be a partner and

4 why we put on the Green Apron which was interesting to me

5 seeing as she had just been hired a couple weeks prior.

6   But she also, when I was talking about the pin and

7 explaining the backstory to it and how, you know Katherine was

8 a Union supporter, she also had put her name on the same letter

9 to Kevin Johnson, and that she had died and we were all

10 mourning that loss.

11   Her response was well, you know, we just don't know

12 with a pin like that what kind of reaction people might have,

13 the kind of reaction that customers and that other people on

14 the floor might have to wearing a pin like that.

15   That it could have a very negative reaction because

16 it references suicide, which to me just wasn't really credible

17 as a reason given both research on suicide and also the fact

18 that the pin doesn't really reference suicide. I mean, it says

19 you are not alone and it has the AFSP website on it. But --

20 Q.   Okay. I'm showing you what's been marked for purpose of

21 identification as GC Exhibit 58. Can you take a look at that,

22 Will?

23 A.   Yes.

24 Q.   Do you recognize this document?

25 A.   I do.

```
 1   Q.    What is this document?

 2   A.    It is the management copy of my documented coaching.

 3              (General Counsel's Exhibit GC-58 identified.)

 4   Q.    Did you sign this document?

 5   A.    I did not.

 6   Q.    Okay.  Where were you when you received this document?

 7   A.    I was in the cafe of the Camp Road store

 8   Q.    At the top under, or next to manager's name, it says

 9   Tanner Reece.  Was Tanner still the manager at that time?

10   A.    No.  Tanner left during my personal leave of absence.

11              MR. GOODE:  I moved for the admission of GC-58.

12              JUDGE RINGLER:  Any objection to 58?

13              MR. BALSAM:  No objection.

14              JUDGE RINGLER:  All right.  We'll admit 58.  And on

15   this one, you did not sign it.  Is that -- is that correct?

16   Because it says on the side here, failure to sign 8/2/222.

17              (General Counsel's Exhibit GC-58 received.)

18              THE WITNESS:  Yes.  It's the Starbucks standard that

19   partners are not required to sign any of their corrective

20   action forms.  But here it does say failure to sign and I don't

21   know why the manager wrote that.

22              JUDGE RINGLER:  I just wanted to make sure there was

23   not a signed one.  That was the only --

24              THE WITNESS:  No.

25              JUDGE RINGLER:  -- motivation I hadn't asked you.  So
```

1 go ahead.

2 BY MR. GOODE:

3 Q.   Where -- where were you when you received this document?

4   MR. BALSAM: Objection, asked and answered.

5   JUDGE RINGLER: I'm not sure that it was.

6   MR. BALSAM: He said it was in a lobby of Camp Road.

7   JUDGE RINGLER: Did you -- did you already say that?

8   THE WITNESS: I did.

9   JUDGE RINGLER: Okay. So there you go.

10 BY MR. GOODE:

11 Q.   Who was present when you received it?

12 A.   It was myself and Melissa Garcia.

13 Q.   Did you record that conversation, Will?

14 A.   I did.

15 Q.   What did you use to record that conversation, Will?

16 A.   My cell phone.

17 Q.   And what cell phone did you use?

18 A.   It was a Google Pixel.

19 Q.   And what did -- what on your phone did you use to record

20 it?

21 A.   The recorder app.

22 Q.   And did you alter the recording in any way?

23 A.   No, I did not.

24 Q.   Is that recording a full capture of your conversation with

25 Melissa Garcia?

1 A.   Yes.

2 Q.   And was -- to your knowledge, was a transcript made of

3 that recording?

4 A.   Yes.

5   JUDGE RINGLER: Thank you.

6 BY MR. GOODE:

7 Q.   Will, I'm showing you what's been marked as General

8 Counsel Exhibit 53 A for the purpose of identification.   Can

9 you take a look at this document?

10 A.   Yeah.

11 Q.   Do you recognize it?

12 A.   Yes.

13 Q.   What is this document?

14 A.   This is the transcript of the recording that I made of the

15 conversation between myself and Melissa Garcia.

16   (General Counsel's Exhibit GC-53A identified.)

17 Q.   And did you make edits to this transcript?

18 A.   I did.

19 Q.   And what were you doing when you made edits to the

20 transcript?

21 A.   I was listening to the recording.

22 Q.   If I play the recording for you, would you be able to

23 identify it?

24 A.   Yes.

25   MR. GOODE: Okay.   I am going to play what's been

1 circulated as GC Exhibit 53 A, Your Honor.

2   JUDGE RINGLER: All right.

3   (Audio recording playing.)

4   (Audio recording paused.)

5 BY MR. GOODE:

6 Q.   I'm stopping at seven seconds. Do you know who those

7 voices are, Will?

8 A.   Yeah. So I am asking Melissa Garcia if she is Tiffany and

9 she responds no.

10 Q.   Okay. So that -- the -- the second voice we've heard was

11 Melissa Garcia?

12 A.   Correct.

13   (Audio recording resumes.)

14   (Audio recording paused.)

15 BY MR. GOODE:

16 Q.   Okay. Stopping at 17 seconds. Do you know what OP stands

17 for?

18 A.   It stands for Orchard Park.

19 Q.   Okay.

20 A.   It refers to the Starbucks location there.

21   (Audio recording playing.)

22   (Audio recording paused.)

23 BY MR. GOODE:

24 Q.   Okay. Stopping at 1:27. Who did you just ask that

25 question to, Will?

1   A.   Katie Piccola (phonetic) shift supervisor at Camp Road.

2   Q.   And was that her voice in return? Her response?

3   A.   Yes.

4   (Audio recording playing.)

5   (Audio recording paused.)

6   BY MR. GOODE:

7   Q.   I'm stopping at 3:19. Will, who just said morning, how

8   are you?

9   A.   That is Taylor the ASM at the time.

10 Q.   Is that the same Taylor you previously mentioned in your

11 testimony?

12 A.   It is.

13   (Audio recording resumed/audio recording paused)

14 Q.   Okay. I'm stopping at 4:26. Who just said good?

15 A.   That was Melissa Garcia.

16 Q.   Okay. So as this part of the conversation takes place, is

17 there anybody there besides yourself and Ms. Garcia?

18 A.   No.

19   MR. GOODE: Okay. Restarting, Judge.

20   (Audio recording resumed/audio recording paused)

21 BY MR. GOODE:

22 Q.   Will, was that recording your conversation with Melissa

23 Garcia?

24 A.   Yes.

25 Q.   And that's -- is that the court recording of the

1 conversation that you received? The documented coaching?

2 A.   Yes.

3 Q.   And I think -- once again, did you alter that recording in

4 any way?

5 A.   I did not.

6   MR. GOODE: Judge, I will move for admission of GC 53

7 A and B.

8   MR. BALSAM: No objection.

9   JUDGE RINGLER: All right. So we'll admit 53 A and

10 B.

11   (General Counsel's Exhibit GC-53A received.)

12 BY MR. GOODE:

13 Q.   Will, did you work any more shifts or -- strike that.

14 Were you scheduled to work any more shifts after August 2nd?

15 A.   I was.

16 Q.   And did you show up for those shifts?

17 A.   I did.

18 Q.   And take -- were you wearing the -- the same pin those

19 days?

20 A.   I was.

21 Q.   Okay. Take us through what happened.

22 A.   I would clock in. I was asked if I was going to take off

23 the pin. I would say no. I was asked to clock out and then I

24 was sent home.

25 Q.   And again, who -- so we're -- we're after August 2nd.

1　Now, who are you interacting with at these -- at these times?

2　A.　Mostly the shift supervisors.　They had had several

3　meetings specifically about this issue.

4　Q.　Can you name any of those shift supervisors?

5　A.　Yeah.　Joard, Tiff, Alex Mano (phonetic), Katie Piccola,

6　Heather Kitchen.

7　Q.　Okay.　Can you please take a look at what I've marked as

8　GC's Exhibit 59 for purpose of identification?

9　A.　Yes.

10　Q.　Do you recognize this document?

11　A.　I do.

12　Q.　Okay.　What is this?

13　A.　This is a written warning for -- my written warning.

14　　　　　(General Counsel's Exhibit GC-59 identified.)

15　Q.　Okay.　And did you receive this written warning?

16　A.　I did.

17　Q.　Okay.　Is your signature on this?

18　A.　It is not.

19　Q.　Where were you when you received this document?

20　A.　I was in the cafe of the Camp Road store.

21　　　　　MR. GOODE:　Okay.　Move for the admission of GC-59,

22　Judge.

23　　　　　JUDGE RINGLER:　All right.　Any objection to 59?

24　　　　　MR. BALSAM:　No, objection, Judge.　I just know that

25　we would -- probably are going to provide a better copy than a

1 photograph of the print of action.

2 　　　　MR. BALSAM: Okay. Do you feel that it's helpful? I

3 probably don't prompt with that.

4 　　　　MR. GOODE: Great. Thank you.

5 　　　　JUDGE RINGLER: All right. So we will admit our GC-

6 59.

7 　　　　(General Counsel's Exhibit GC-59 received.)

8 BY MR. GOODE:

9 Q. Let me set back real quick, Will -- in the -- in the last

10 recording there was reference to an unusual name, Kelleigh, do

11 you remember that?

12 A. Yes.

13 Q. Who is Kelleigh?

14 A. That refers to Kelleigh Hamlin. The name of Kelleigh,

15 it's spelled K-E-L-L-E-I-G-H. And Kelleigh was the support

16 manager for the majority of the Union campaign. Almost all of

17 it at my store. One of the support managers, I'm sorry.

18 Q. The -- I'm sorry about that. I'm going to turn you back

19 to GC-59. Who gave you your written warning?

20 A.   It was Samantha Hamilton and Desiree Weaver who was the

21 new ASM at the time, replacing Taylor. The ASM and Samantha

22 replacing MG or formerly Tanner.

23 Q. Did you record that conversation?

24 A. I did.

25 Q. And how did you record that conversation?

1	A.	With my cell phone.
2	Q.	And which phone did you use?
3	A.	It was my personal phone, my pixel.
4	Q.	How on your phone did you record the conversation?
5	A.	With the recorder app.
6	Q.	And did you alter that recording in any way?
7	A.	I did not.
8	Q.	Did you provide that recording to the NLRB?
9	A.	I did.
10	Q.	Would you recognize that recording if you listened to it?
11	A.	I would.
12	Q.	Is there a transcript of that recording?
13	A.	There is.
14	Q.	Have you seen that transcript before?
15	A.	I have.
16	Q.	I'm going to hand you what has been marked for purpose
17		identification Exhibit 54B. Would you take a look at that
18		document?
19	A.	Yeah.
20	Q.	Do you recognize this document?
21	A.	I do.
22	Q.	Okay. What is this?
23	A.	This is a transcript of the recording that I made of the
24		conversation between myself and Samantha Hamilton
25		(General Counsel's Exhibit GC-54B identified.)

1 Q.   Did you make edit to this transcript?

2 A.   I did.

3 Q.   And what were you doing when you made those edits?

4 A.   I was listening to the recording.

5 Q.   Is this a fair and accurate transcript of -- of that

6 recording?

7 A.   Yes.

8   MR. GOODE: It has been circulated as 54A, Judge.

9   JUDGE RINGLER: All right.

10   (Audio recording playing.)

11   (Audio recording paused.)

12 BY MR. GOODE:

13 Q.   And who were those two voices we just heard?

14 A.   So the hi is myself and the hello is referring to Samantha

15 Hamilton. It's -- or it's attributed to Samantha Hamilton.

16   MR. GOODE: Stopping at nine, okay? Restarting.

17   (Audio recording paused.)

18   (Audio recording resumes.)

19 BY MR. GOODE:

20 Q.   And we just heard the name Desiree. Who said that?

21 A.   Desiree said her own name.

22 Q.   Okay.

23   (Audio recording paused.)

24   (Audio recording resumes.)

25 BY MR. GOODE:

1 Q.   Will, was that the complete recording of your conversation

2 with Samantha Hamilton on August 20th?

3 A.   Yes.

4   MR. GOODE: Judge, I offer 54A and 54B.

5   MR. BALSAM: No objection.

6   JUDGE RINGLER: All right. We'll admit 54A and B.

7   (General Counsel's Exhibit GC-54A and B received.)

8 Q.   So you mentioned in -- in the -- in this conversation that

9 you had worn the pin at other stores. What stores had you worn

10 that at?

11 A.   I had worn the pin at Elmwood Village, at Williamsville

12 Place. And third location. I want to say Sheridan and Bailey,

13 but I'm not 100% on that at this point.

14   MR. GOODE: I apologize in advance for the quality of

15 our color copies. We're going to email these to all the

16 parties right now.

17 Q.   So I'm showing you what's been marked for purposes for

18 purpose of identification is GC Exhibit 60 and 61. Can you

19 please take a look at these? Do you recognize these?

20 A.   Yes, these are -- yes, I recognize them.

21 Q.   Okay. So let's start with GC Exhibit 60. What is GC

22 Exhibit 60?

23 A.   This is a picture I took of myself while on break at the

24 Williamsville Place store.

25   (General Counsel's Exhibit GC-60 identified.)

1 Q.   Okay. And how did you -- so is this a printout of that

2 picture?

3 A.   It is.

4 Q.   Okay. How did you take that picture?

5 A.   With my phone.

6 Q.   And what -- what did -- what on your phone did you use to

7 take that picture?

8 A.   The camera app.

9 Q.   And what phone did you use?

10 A.   It was a Google Pixel.

11 Q.   And are you wearing the -- you were not alone pin in this

12 picture?

13 A.   I am.

14 Q.   And did you -- you said that you were on break. Did you

15 wear that pin the entire shift that day?

16 A.   Yes.

17 Q.   Did you alter this picture in any way?

18 A.   No.

19 Q.   Did you send this picture to the NLRB?

20 A.   Yes.

21   MR. GOODE: Move for the admission of GC 60, Judge.

22   JUDGE RINGLER: Do we have a date of when the picture

23 was taken?

24   MR. GOODE: I can ask, Judge.

25 BY MR. GOODE:

1 Q. Do you recall -- well, when you wore this pin at

2 Williamsville Place?

3 A. So it would've been in July or August of 2022. I do know

4 that I still have these photos though, and I think in -- in

5 briefs it would be possible to submit the actual dates of the

6 photos if needed.

7 Q. Did you wear it after you returned from your leave of

8 absence?

9 A. Yes.

10 Q. Okay. And did you wear this prior to receiving your

11 written warning?

12 A. Yes.

13   MR. GOODE: I'll offer GC Exhibit 60, Judge.

14   JUDGE RINGLER: All right. Any objection to 60?

15   MR. BALSAM: Your Honor, voir dire.

16   JUDGE RINGLER: Go ahead.

17   VOIR DIRE

18 BY MR. BALSAM:

19 Q. How do we know that this picture was taken the

20 Williamsville Place store?

21 A. I mean, you could look, I think, at the cafe. It's pretty

22 unique actually because it wasn't an original Starbucks model.

23 It -- like the building wasn't made by Starbucks, it was

24 purchased.

25   I don't know from who, but the -- the design of the

1 store is unique to that store. And I think if you were to look

2 at any other photo of the store or, you know, go to the

3 location, you would. It's -- it's obvious to me.

4 Q. But from looking at this picture itself, how do we know?

5 Are there any notations or more things that would indicate that

6 this is taken at Williamsville Place store?

7 A. I'm -- I mean, it -- it's just -- it's just evident from

8 the design of the cafe. I don't think there's another store in

9 the market even that has a design that's similar.

10   Regardless though, I -- I would say, you know, maybe

11 in -- like I was saying before there would be a -- if we -- if

12 we need to grab an original file, I know that I do still have

13 the photos on my phone and there would be a geography tag

14 associated with that photo, which I think we would be able to

15 provide if it was really necessary. But I -- I -- I -- I think

16 that it's evident that this is Williamsville Place just by

17 looking at it.

18 Q. Who's the partner behind you who probably doesn't want the

19 picture taken?

20 A. That was the shift supervisor that was on the shift.

21 Q. What is that shift supervisor's name?

22 A. I couldn't tell you.

23   MR. BALSAM: Judge, I -- I'm going to object to -- to

24 this document. It has not been properly authenticated. The

25 witness has testified that he has the original file of this

1 photo on his -- on his phone. That would provide a date, a

2 location according to this witness, and the ability for us to

3 ensure that there -- this picture had not been altered or

4 tampered with.

5   Just allowing this -- the introduction to document

6 based on this witness' testimony, given what this picture is

7 purporting to represent, it would be highly prejudicial to

8 Starbucks. And again, not the best evidence of what this

9 purports to be.

10   JUDGE RINGLER: Counsel, do you want to reply?

11   MR. GOODE: Yeah. He testified to exactly where he

12 was at when he took this picture. His testimony is -- is not

13 only where he was, it's -- he gave a timeframe, he identified

14 the -- the store's cafe in the lobby. To his knowledge, to his

15 experience, he not offer anything that would call into question

16 in that credibility, Judge.

17   JUDGE RINGLER: Yeah. Yeah. And I -- I think in --

18 in addition to that, and I would agree with that, it's

19 certainly readily verifiable for Starbucks to talk to one of

20 your folks at this -- this Williamsville store and they could

21 testify about whether they agree this is a photo of the lobby

22 or not. Certainly you have the right to subpoena the record on

23 his phone to see if that's accurate as well.

24   MR. BALSAM: We've done that, Judge.

25   JUDGE RINGLER: Okay. Okay. So I will admit GC-60.

1 You can jump to 61.

2   (General Counsel's Exhibit GC-60 received.)

3 BY MR. GOODE:

4 Q.   Well, I'll have you look at GC Exhibit 61. What's this

5 document?

6 A.   This is another photo that I took of myself on break in

7 the back of house on a different day at the Williamsville Place

8 location.

9   (General Counsel's Exhibit GC-61 identified.)

10 Q.   And did you -- is this a printout of that picture?

11 A.   It is.

12 Q.   Did you -- how did you take this picture?

13 A.   With my cell phone.

14 Q.   And it's the same cell phone you've testified to here

15 about today?

16 A.   Yes, Google Pixel.

17 Q.   And how did you take the picture?

18 A.   I would've used the camera app.

19 Q.   And are you wearing the, you are not alone pin in this

20 picture?

21 A.   I am.

22 Q.   Did you wear that pin the entire shift that day?

23 A.   I did.

24 Q.   Again, can you tell us the timeframe when this picture was

25 taken?

1 A.   It would've been on break at some point in the back of

2 house. I think, you know, I -- I had already been wearing, you

3 know, the --- the pin at other locations, but I recognized that

4 it might be good to have proof of that. And so over multiple

5 days, I -- I took photos.

6 Q.   Well, again, was this taken sometime after your return

7 from the absence?

8 A.   Yes.

9 Q.   And was it taken prior or after to your August 20th

10 written warning?

11 A.   Prior.

12 Q.   How can you identify that this is in the back

13 Williamsville Place?

14 A.   The -- the sink bends -- yeah. I know where I took it.

15   MR. GOODE: Moving to admit GC-61.

16   MR. BALSAM: Voir dire.

17   JUDGE RINGLER: Go ahead.

18   VOIR DIRE

19 BY MR. BALSAM:

20 Q.   GC-61, was this taken before or after GC-60?

21 A.   That's a great question. I wouldn't know, but I would say

22 that they were about a week apart, the two.

23 Q.   And just to confirm, this picture was taken at the

24 Williamsville Place location?

25 A.   Yes.

1 Q.   When you were -- and this -- this picture is still

2 maintained in your phone?

3 A.   Yes.

4   MR. BALSAM: Same objection as 60, Judge.

5   JUDGE RINGLER: Okay. So noted for the record, I'm

6 going to admit 61. And also the other piece of this is as

7 well, but obviously you thought of this. I mean, you could

8 certainly verify whether he was scheduled at the store. We can

9 narrow down the date that way as well, so -- okay.

10 BY MR. GOODE:

11 Q.   Well, and -- and either of these shifts at Williamsville

12 Place, were there store managers present?

13 A.   Yes.

14 Q.   Were there store managers present when you were the -- you

15 were not wearing a pin?

16 A.   Yes.

17 Q.   Now, at Williamsville Place, did you have any

18 conversations with store manager while you were wearing the

19 pin?

20 A.   Yes.

21 Q.   Who was the store manager?

22 A.   It was Deisha.

23 Q.   Okay. And what do you recall in the conversation?

24 A.   I was actually following up about my transfer request to

25 the store which Desa -- Deisha had said that she had not been

1 made aware of, even though I had been trying for quite a while

2 at that point, since January, and this was August to transfer

3 to that store.

4   We sat down, I think during my lunch to just sort of

5 talk about it. She said that it -- it seemed good that, you

6 know, she liked me from having worked there the last couple

7 days and, you know, that she would follow up and see if we

8 couldn't get a transfer request approved to Williamsville

9 Place.

10 Q.   Were you told to take that pin off?

11 A.   No.

12 Q.   Did you take that pin off?

13 A.   No.

14 Q.   And just for the record to be clear, that you worked your

15 entire shift on those occasions?

16 A.   I did.

17 Q.   I believe you mentioned that you also covered a shift at

18 Elmwood?

19 A.   I did.

20 Q.   Again, was that -- covering that shift, was that after

21 your return from leave of absence?

22 A.   It was.

23 Q.   Was that before or after your August 22nd just -- written

24 warning?

25 A.   It was before.

1   Q.   How many shifts do you recall being up at Elwood?

2   A.   I only recall one shift. I might have picked up more

3   shifts though because I -- I know that -- what I remember about

4   it at the time was that Jaz Brisack who was working at Elmwood

5   at the time had been scheduled multiple times outside of their

6   availability.

7   And so the only way to avoid the store being

8   understaffed was to try to find somebody to pick up the shift.

9   And I was looking for hours because I was being sent home from

10   every single shift at my store. So it actually might have been

11   more than one time.

12   Q.   Did you wear -- on any occasion that you picked up a shift

13   at Elmwood, did you wear the -- you are not alone pin?

14   A.   Yes.

15   Q.   And who's the store manager at Elmwood at that time?

16   A.   That would've been Merley.

17   Q.   When you picked up any shifts at Elmwood at that time, was

18   Merley there while you were wearing the pin?

19   A.   Yes.

20   Q.   Okay. And did you have any conversations with Merley

21   while you were wearing the pin?

22   A.   I did.

23   Q.   Okay. Take us through what you can recall about your

24   conversation.

25   A.   She said that she liked my pin, actually. We talked about

1 a transfer to Elmwood Village, which was a request that I had

2 made months prior. And she sai.d that she didn't see any

3 reason why I shouldn't be able to transfer there, and that she

4 would follow up with me

5 Q. On any shift that you picked up at Elmwood, did you work

6 your entire shift?

7 A. I did.

8 Q. Were you told to take the, you are not alone pin off?

9 A. No.

10 Q. Did you wear the pin the entire shift?

11 A. I did. And there were other people on the floor wearing

12 the pin as well.

13 Q. Do you recall any else -- anybody else?

14 A. Do I -- do you recall anybody -- who that was wearing the

15 pin?

16 A. I believe Michelle Eisen.

17 Q. Did you see employees at any other stores wearing that

18 pin?

19 A. I've -- so as I had talked about in the recording, in my

20 conversation with Samantha and Desiree, I had distributed -- I

21 -- I bought a bunch of packets and distributed the pin all

22 across the country to about, I'd say 10 different states asking

23 people to put them on and see if, you know, it was something

24 that was going to be approached in the same way that it was

25 being approached at -- at my store.

1   So I've seen dozens of partners wearing the pin at

2   other stores, both within the Buffalo market, outside of the

3   Buffalo market.

4   And even there's a store in New Jersey where

5   everybody has worn the pin every day for the last several

6   months. They are -- when new hires are brought on, they are

7   given a pin, everybody wears it. And there's a partner who

8   wears, I think, like 12 of them on her apron. Never -- there's

9   never been an issue of being asked to take off the pin.

10   MR. BALSAM: Objection, hearsay. Move to strike.

11   JUDGE RINGLER: I'll let you finish your sentence,

12   Will. Go ahead.

13   BY MR. GOODE:

14   A.   There's never been an issue of people being asked to take

15   off the pin. Everybody wears it as part of that store's

16   culture.

17   JUDGE RINGLER: I do want you to, Counsel though,

18   obviously to delve into cross on this issue. What's the store

19   in New Jersey?

20   THE WITNESS: It's the Hopewell Store in New Jersey.

21   JUDGE RINGLER: And how do you know that Everyone

22   there wear the -- wears the pin?

23   THE WITNESS: I've -- I visited it. I communicated

24   with one of the leaders there very early on about this, and she

25   was immediately very supportive and recognized that, you know,

1 this just wasn't how the policy was ever enforced.

2   And so she was on it and she's been a leader at that

3 store and everyone is really supportive and it's, it's nice.

4 And so I've actually visited the store in person and just sort

5 of seen and the manager was there, no issue.

6   JUDGE RINGLER: Roughly when did you visit?

7   THE WITNESS: That would've been in -- I want to say

8 June or July. It was over the summer. I visited New Jersey

9 very briefly.

10   JUDGE RINGLER: Okay.

11   MR. GOODE: Now, following your -- sorry, strike

12 that, Judge.

13 BY MR. GOODE:

14 Q.   Now, after your conversation with Samantha Hamilton on

15 August 20th, were you allowed to continue picking up shifts at

16 other stores?

17 A.   No.

18 Q.   Okay. When did that stop?

19 A.   Shortly after that conversation where I had informed

20 Samantha that I was picking up shifts at other stores and

21 allowed to wear the pin, I was told that I was no longer

22 allowed to pick up shifts at other stores.

23 Q.   Okay. Who told you that?

24 A.   Sorry, other stores in the Buffalo market, and I was told

25 that by Samantha Hamilton.

1 Q.   Okay. Where were you when you were told that?

2 A.   We were in the back of house just at like the doorway

3 entrance.

4 Q.   And was that at the Camp Road store?

5 A.   Yes.

6 Q.   Can you take us through what you recall of how that topic

7 came up?

8 A.   It was one of the days where it was like fairly -- it was

9 like the routine sort of, you know, clock in, you have to take

10 off the pin, be told to clock out.

11   And before I had clocked out, Samantha like pulled me

12 a little bit into the back and was saying like, Hey, like, I

13 want to know that like we -- we heard your feedback on, you

14 know, how -- how you had picked up shifts at other stores, and

15 I wanted to let you know that you weren't -- that, you know,

16 because you're no longer in good standing with the company,

17 that you cannot pick up shifts at other stores in the Buffalo

18 market.

19 Q.   Now, following your August 20th written warning and

20 conversation, were you continued to be scheduled at Camp

21 A.   I was.

22 Q.   And on your scheduled shifts, did you continue to wear

23 that pin?

24 A.   I did.

25 Q.   And did that continue into September of 2022?

1   A.   It did.

2   Q.   And on those shifts that you showed up, what happened?

3   A.   So in September of '22, all the days that I showed up to

4   my shift, I was told to clock in, asked if I would take off the

5   pin, told to clock out, and then sent home early.

6   Q.   I'm sorry, I -- I jumped -- I jumped the gun a little bit.

7   Following your August 20th conversation, did you continue to

8   wear that in -- in the end of August?

9   A.   Yes.

10   MR. GOODE: Oh, I didn't label that. I'm sorry,

11 everybody. That is GC Exhibit 65. I -- I'm sorry, everybody.

12   JUDGE RINGLER: 65?

13   MR. GOODE: Yeah.

14   JUDGE RINGLER: Okay. GC-65. Okay. And that is the

15 eight -- well, I'll call -- do you want to call it the 8/25/22

16 correction or the 9/1/22 correction? I guess it doesn't matter

17 so much. It's the final written warning.

18 BY MR. GOODE:

19 Q.   Do you recognize this document?

20 A.   I do.

21   (General Counsel's Exhibit GC-65 identified.)

22 Q.   Okay. When did you receive this document?

23 A.   I received it on September the 1st of 2022.

24 Q.   And where were you when you received it?

25 A.   I received this -- and it's my final written warning. I

```
 1  received it on September.  Wait, on September the 1st?  Or --
 2  Q.   Where were you when you received it?
 3  A.   Oh, where I was?  I was in the cafe of Camp Road, sorry.
 4  Q.   And who gave this to you?
 5  A.   It was Samantha Hamilton and Desiree Weaver, the store
 6  manager and assistant store manager at the time.
 7  Q.   And if you turn to the second page on the back, did you
 8  sign the document?
 9  A.   I did not
10          MR. GOODE:  Move for the admission `of GC-65.
11          MR. BALSAM:  Objection.  Just that we will provide a
12  better copy.
13          JUDGE RINGLER:  Okay.  No -- and I'd appreciate that.
14          MR. BALSAM:  Yeah.
15          JUDGE RINGLER:  So thank you for that as well.  So
16  we'll admit GC-65.
17          (General Counsel's Exhibit GC-65 received.)
18  BY MR. GOODE:
19  Q.   Will, did you record that conversation --
20  A.   I did.
21  Q.   -- with Samantha?  And how did you record that
22  conversation?
23  A.   I used my phone.
24  Q.   And which phone did you use?
25  A.   My Pixel.
```

1 Q.   And what did you use on your phone to, to record the

2 conversation?

3 A.   It would've been the recording app.

4 Q.   Was there a transcript of -- or is there a transcript of

5 that recording?

6 A.   Yes.

7 Q.   And have you seen that transcript before today?

8 A.   I have.

9   MR. GOODE: Judge?

10   MR. GOODE: Yes. I just note that this has been

11 labeled as GC Exhibit 65. The final written warning was

12 labeled GC --

13   I'm all over the place. Okay. It's supposed to be 55.

14   JUDGE RINGLER: Yeah. Mine says 55, actually.

15   MR. GOODE: Yeah, I -- yeah.

16   JUDGE RINGLER: Okay. I'll --

17   MR. GOODE: This is 55. It's 55B.

18   MR. BALSAM: Okay.

19   MR. GOODE: Thanks, everybody.

20   JUDGE RINGLER: Don't worry about it.

21   MR. GOODE: Judge, what -- do you have 55B?

22   JUDGE RINGLER: I do.

23   MR. GOODE: Okay.

24   JUDGE RINGLER: You -- you got mine, right? Thanks.

25   MR. GOODE: You got the same one. Okay. Well --

1 BY MR. GOODE:

2 Q. Have you seen this transcript before?

3 A. I have.

4   (General Counsel's Exhibit GC-55B identified.)

5 Q. Did you make edits to this transcript?

6 A. I didn't.

7 Q. And what were you doing when you made those edits?

8 A. I was listening to the recording.

9 Q. The recording that you made, is it the complete audio of

10 your conversation that day with Samantha Hamilton?

11 A. Yes.

12 Q. Did you edit that recording in any way?

13 A. I did not.

14 Q. If you listen the recording -- if you heard it, would you

15 recognize it.

16 A. I would.

17 Q. I promise this one is a lot shorter.

18   (Audio recording playing.)

19 Q. Okay. I'm stopping at 0:28. Whose voices did we hear at

20 the beginning there?

21 A. So the first voice is mine and the second is Heather

22 Kitchen, a shift supervisor at the store.

23   (Audio recording paused)

24   (Audio recording resumes.)

25 Q. I'm stopping at 1:34. Who were the two voices that said

1 hi?

2 A. That would've been both Samantha Hamilton and Desiree

3 Weaver.

4   (Audio recording resumed/audio recording paused)

5 Q. Will, was that a complete recording of your conversation

6 with Samantha Hamilton on September 1st?

7 A. Yes.

8   MR. GOODE: Judge, I offer GC Exhibit 55A and --

9   MR. BALSAM: No objection.

10   JUDGE RINGLER: All right. So we'll admit 55(A),

11 recording and 55(B), transcript of the recording.

12   (General Counsel's Exhibit GC-55A and B received.)

13 BY MR. GOODE:

14 Q. Now, Will, I believe before I asked you about that, you --

15 you mentioned that you continued to wear the pin into

16 September. Do you recall that testimony?

17 A. I do.

18 Q. And remind us what happened on those shifts in September

19 when you showed up to work with the pin?

20 A. I would clock in, be asked if I was going to remove the

21 pin. We told to clock out, and be sent home.

22 Q. I'm going to show what's been marked for identification as

23 GC Exhibit 66. Please take a look at that, Will.

24 A. Yes.

25 Q. Do you recognize that document?

1 A.   I do.

2 Q.   And what is that?

3 A.   It's my notice of separation from Starbucks.

4   (General Counsel's Exhibit GC-66 identified.)

5 Q.   If you can turn to the second page in the back. Did you

6 sign that document?

7 A.   I did not.

8 Q.   Where were you when you received that document?

9 A.   I was in the cafe of the Camp Road store.

10 Q.   And who gave it to you?

11 A.   It was delivered by Samantha Hamilton and Alex Roche, who

12 was the new store manager for the store. Actually, it took --

13 he -- he might have still been the assistant store manager at

14 that time, but that was -- it was a very short period before he

15 was eventually the store manager.

16 Q.   It's dated October 4th. Is that the day that you received

17 it?

18 A.   Yes.

19   MR. GOODE: Move for admission of GC 66, Judge.

20   MR. BALSAM: No objection.

21   JUDGE RINGLER: Admit 66.

22   (General Counsel's Exhibit GC-66 received.)

23 BY MR. GOODE:

24 Q.   Will, I'm going to direct your attention to the paragraph

25 -- looking in the middle of the page in the box, the paragraph

1 that begins in addition to dress code violations. Do you see

2 that sentence?

3 A. Yes.

4 Q. And it mentions a attendance and punctionality policy

5 issue on September 6th. Do you recall that day?

6 A. I do.

7 Q. Okay. Did you -- well, take me through what happened that

8 day.

9 A. So September 6th was a day that we did a citywide leaflet

10 of all the Buffalo area locations for Starbucks. So I had

11 arrived at Camp Road just before they had opened. And we --

12 there was a -- a group of us, including my coworker, Gianna and

13 we leafleted outside the store that morning.

14 Q. Okay. Can you -- can you describe in relation to the

15 store where you were leafleting?

16 A. Yes. So at first we leafleted the drive-through. But

17 then inside the store they had called the property manager who

18 showed up and then asked us to move to the sidewalks when we

19 were leafleting in front of like the -- the windows of the

20 store in -- in front.

21 Q. And at some point did you clock in for your shift that

22 day?

23 A. I did.

24 Q. And take me through what happened.

25 A. So I came in. I believe it was Alex Samo who was the

1 shift. And I clocked in, he asked me if I was going to take

2 off the pin. I said no, I was asked to clock out. And then

3 I'm sent home.

4 Q. During those -- those 45 minutes that it says you were

5 late, was that during the time that you were leafleting?

6 A. Yes.

7 Q. Now further on in that paragraph it mentions the

8 occurrence on September 29th. Do you recall that day?

9 A. I do.

10 Q. Okay. Take us through what happened that day.

11 A. I received a text saying like, hey, this is Sam. I was

12 basically wondering if you could come in at like 12:00, 12 30.

13 It was -- it was something along those lines of like, hey, this

14 is Sam. Could you come in at 12:00 or 12:30?

15 Q. Okay. Were you scheduled to work that day?

16 A. I was earlier in the day, yeah.

17 Q. Do you recall approximately what time you were scheduled

18 to be there?

19 A. I think like 8:30.

20 Q. Okay. And did this text message come through prior to

21 your scheduled shift?

22 A. Yes.

23 Q. And then what happened after you received that text

24 message?

25 A. So I got a call at about nine o'clock from Alex Roche, who

1 at that time was the store manager saying, hey, where are you?

2 You're late for your shift. I had said, you know, that I had

3 been asked to come in later and he said, no, we need you right

4 now. I said, okay, I can be right there. So I then drove to

5 the Camp Road store, arrived clocked in, was asked if I was

6 going to take off the pin, was told to clock out and sent home.

7 Q.   Between September 6th and receiving this notice of --

8 notice of separation on October 4th, were you -- did any member

9 of management talk to you about being tardy on September 6th?

10 A.   No.

11   MR. GOODE: Can I move for admission of GC 66?

12   JUDGE RINGLER: Yes. Yeah. That's admitted.

13   MR. GOODE: Nothing further, Judge.

14   JUDGE RINGLER: Okay. Counsel, your choice really.

15 If you want to cross him now, that's fine. If you want to

16 cross him in the morning at nine o'clock, that's fine too.

17   MR. BALSAM: I think in the morning. I just feel

18 like we've been here about --

19   JUDGE RINGLER: It's been a long day. I -- I agree.

20   MR. BALSAM: I think it's going to take longer than

21 30 minutes and I don't want --

22   JUDGE RINGLER: Yeah. No, I don't care so much about

23 that, but it's kind of, you know, pinning it on you at the end

24 of the day and support witness. So okay. So we will -- can

25 you come back tomorrow at nine o'clock?

1   THE WITNESS: Of course.

2   JUDGE RINGLER: Okay. We will see you tomorrow then

3 at nine o'clock.

4   THE WITNESS: Great.

5   JUDGE RINGLER: And we'll start with cross. But

6 counsel, you've got to give him the Jencks statements if you

7 would.

8   MR. GOODE: Okay.

9   MR. BALSAM: Thank you, Your Honor.

10   MR. GOODE: I have an email. One email, one

11 affidavit, that's a page. Second affidavit, that's 10 pages.

12 Third affidavit, that is four pages of substance. Another

13 affidavit that's three pages. And I also have the Buffalo 1

14 affidavit that is 30 pages.

15   JUDGE RINGLER: All right. So the affidavits are

16 being handed over. I don't have to give you any time. Take as

17 long as you want.

18   MR. GOODE: Oh, I will, Judge. Thank you.

19   JUDGE RINGLER: Okay. We'll see everyone tomorrow.

20 Go off the record until that time. So in the interim, please

21 don't discuss your testimony with anyone tonight through

22 tomorrow morning, okay?

23   THE WITNESS: Thank you.

24   JUDGE RINGLER: Thank you.

25

1 (Whereupon, at 5:25 p.m., the hearing in the above-entitled

2 matter was adjourned to resume on Friday, 21st April, 2023 at

3 9:00 a.m.)

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1   CERTIFICATION

2   This is to certify that the attached proceedings before

3   the National Labor Relations Board (NLRB), Region 3, in the

4   matter of STARBUCKS CORPORATION, Case No. 03-CA-295810, at the

5   National Labor Relations Board, on Thursday, April 20th, 2023,

6   was held according to the record, and that this is the

7   original, complete, and true and accurate transcript that has

8   been compared to the recording from the hearing, that the

9   exhibits are complete and no exhibits received in evidence or

10 in the rejected file are missing.

11

12

13   *Rhett Baker*

14   _____

15   Rhett Baker

16

17

18

19

20

21

22

23

24

25

_

–- (13)
805:15;815:4;
816:25;818:24;821:2,
5;822:18;823:24;
824:6,13;825:9;
828:1;832:7

`

`of (1)
902:10

'

'16 (1)
779:15
'21 (1)
848:8
'22 (2)
778:20;901:3

A

ability (3)
755:22,24;891:2
able (25)
697:19;715:11;
718:18;730:2;745:16;
755:4;760:3,6,8,13,
17,18;764:18;787:22;
788:23;789:6;849:22;
859:22;862:19;863:5;
865:10;869:1;879:22;
890:14;897:3
above (1)
720:23
above-entitled (2)
692:12;911:1
absence (16)
842:21,23;870:13,
21;871:4,9;873:17,19,
20,22,25;874:3;
877:10;889:8;893:7;
895:21
absent (4)
838:20;847:9,25,25
access (1)
697:19
accommodate (3)
760:8,18;764:19
accommodation (6)
858:23,24;859:1;
865:10;867:10;
870:16
accompany (1)
829:14
accomplish (1)
701:17
accomplished (1)
701:3

according (2)
754:2;891:2
account (2)
743:8;831:10
accurate (14)
713:17;726:12;
743:18,20;784:15;
797:23;798:17;
805:20;806:7;836:22;
839:2;845:12;886:5;
891:23
accurately (1)
863:6
ACP (1)
699:9
acquaintance (1)
703:18
acquisition (1)
831:18
across (3)
732:14;841:3;
897:22
action (3)
734:3;877:20;884:1
actions (1)
732:1
active (2)
708:22,24
activity (2)
710:20;768:22
actual (6)
799:9;806:1;
847:10,10;873:22;
889:5
actually (30)
697:19;704:16;
715:22;750:9,13;
769:22;770:6;775:10;
804:12,13;809:5;
818:15;823:25,25;
830:7,9,13;831:21;
841:19;852:25;859:1;
865:16,17;889:22;
894:24;896:10,25;
899:4;903:14;906:12
add (2)
787:22;788:16
addition (2)
891:18;907:1
additional (3)
701:11;816:7;846:3
address (3)
743:6;787:1,6
adequate (2)
815:24;816:2
adhering (2)
762:3,15
adjourned (1)
911:2
adjustments (2)
788:2,4
Administrative (1)
692:13

admirable (1)
816:8
admission (11)
743:23;829:16;
848:20;854:12;
877:11;882:6;883:21;
888:21;902:10;
906:19;909:11
admit (17)
798:11;830:15;
839:19;848:20;
855:20;862:8;873:3;
877:14;882:9;884:5;
887:6;891:25;893:15;
894:6;902:16;905:10;
906:21
admitted (16)
744:6;785:15,16;
798:12,13;830:17;
839:21;842:8;848:22;
862:14;864:2,3;
866:25;873:8,10;
909:12
admitting (1)
848:19
ado (1)
864:18
advance (5)
755:14,19;815:6;
818:10;887:14
affidavit (20)
749:16,19;750:13;
751:21;752:3,8,12,13,
14;756:7;774:23,24;
808:20,25;809:18;
910:11,11,12,13,14
Affidavits (3)
808:13,15;910:15
afloat (1)
789:2
AFSP (1)
876:19
afterwards (1)
834:25
again (42)
697:18;700:8;
703:18;716:24;
719:18;731:21;
736:23;737:8,9;
738:4;745:22;751:20;
753:17;754:19;
763:23;771:20,21;
776:15;789:13,23;
790:2;800:3;802:23;
807:6;815:13;818:18;
820:11;841:12;844:1;
846:6,10;848:24;
850:24;858:8;868:14;
870:8;882:3,25;
891:8;892:24;893:6;
895:20
against (2)
769:20;848:8

agents (1)
860:22
ago (3)
752:14,15,16
agree (11)
713:22;726:23;
737:24;738:1;768:21;
784:7;813:5,7;
891:18,21;909:19
agreement (11)
783:10,12,15,16,20,
23;784:6,10,16;
785:19;821:4
agreements (1)
781:13
ahead (38)
711:5;713:7;
714:17;715:2,21;
717:24;728:24;
729:14,18;734:22;
738:17;744:13;755:9;
765:20;767:19;
768:25;774:5;782:8;
783:2;784:21;789:7;
798:5;800:5,11;
806:18;807:18;
821:10,20;823:8;
829:20;845:24;
858:20;871:19;872:4;
878:1;889:16;893:17;
898:12
ain't (1)
863:22
Alan (9)
783:4;785:2,3,9,11;
790:20,23,25;821:24
Alex (5)
827:25;883:5;
906:11;907:25;
908:25
ALJ (1)
692:13
AlJB (2)
824:7,17
allegation (2)
710:17;744:22
alleged (2)
704:14;765:20
allegedly (2)
817:12;829:23
alleviate (1)
764:18
allow (18)
714:16,20;715:2,
20;716:21;725:13;
734:22;736:2;738:25;
741:9;754:6;759:5;
765:20;767:19;782:8;
821:20;823:5;840:19
allowed (11)
716:6;772:20;
783:18;788:1,11,18;
790:2;870:15;899:15,

21,22
allowing (1)
891:5
almost (5)
721:18;752:16;
782:1;864:19;884:16
alone (6)
820:7;876:19;
888:11;892:19;
896:13;897:8
along (2)
763:5;908:13
Alright (1)
773:6
alter (7)
835:22;866:5;
871:25;878:22;882:3;
885:6;888:17
altered (1)
891:3
Alternating (1)
843:7
Although (1)
831:12
always (4)
706:17;720:23;
739:4,4
am/ (1)
776:20
am/Reconvened (2)
703:11;748:20
Amato (13)
709:2;711:9;
730:13;749:3,5,7;
750:23;764:8;765:5;
781:25;783:7;790:25;
802:12
Amato's (1)
704:11
amenable (1)
864:17
amid (1)
787:18
amount (3)
791:15;815:23;
816:2
Amy (5)
719:3;752:23;
753:1,4,7
Amy's (1)
753:13
announce (1)
780:21
announced (1)
780:19
announcing (1)
797:24
answered (12)
710:7;714:15;
754:5;759:10;767:18;
768:10;771:10,19;
772:1,3;773:16;878:4
anticipating (1)

825:25
anymore (2)
714:13;858:5
apart (1)
893:22
apologize (2)
756:10;887:14
apologized (2)
731:4;756:12
app (15)
729:20;786:8;
835:14,16;844:3,5;
851:2,4;859:20;
868:19;878:21;885:5;
888:8;892:18;903:3
appeal (11)
741:6;745:5,17,21;
746:21;747:4;749:22,
24;750:7;805:7;806:1
appealed (2)
740:18;804:8
appeals (1)
749:21
appear (1)
829:4
application (4)
765:19;775:22;
831:25;832:4
applied (3)
831:14;832:13;
833:11
apply (2)
811:9;831:21
applying (2)
734:21;841:1
appointment (1)
749:23
appreciate (6)
702:21;816:6;
847:14;865:18,23;
902:13
approach (1)
700:13
approached (10)
780:5,7;787:17;
789:23;799:12;
800:16;818:15;
843:14;897:24,25
approaching (1)
816:15
appropriate (3)
717:24;759:3;
848:17
approval (9)
751:18;752:4,22;
753:9;755:1,5;
756:10;758:1;810:7
approved (2)
870:16;895:8
approximately (13)
697:10;834:4,16;
842:16;843:3,19;
847:17;849:24;

856:16;859:6;873:19,
24;908:17
apps (1)
786:3
April (7)
692:16;705:20,23;
722:6;752:14;834:6;
911:2
apron (5)
843:2,3;844:8;
876:4;898:8
area (6)
706:3;707:12;
710:17;716:6;718:5;
907:10
areas (1)
789:10
aren't (1)
762:15
argued (1)
735:24
argument (1)
745:10
around (22)
707:24;717:13;
721:11;722:9,13;
728:7;745:24;748:15;
771:5;780:1;786:22;
787:7,8;791:8;792:7,
12;800:23;815:14;
820:3;833:16;843:8;
874:4
arrived (4)
764:8;786:1;
907:11;909:5
Asave (1)
724:12
Aside (3)
721:14;762:21;
785:18
ASM (3)
881:9;884:21,21
assess (1)
738:18
assessment (1)
745:23
assistant (5)
875:2,9,18;902:6;
906:13
associated (3)
831:9;859:15;
890:14
assume (1)
747:11
assuming (3)
806:19,20;808:3
assumption (1)
744:11
Athrough (1)
778:1
Atif (1)
843:15
attached (4)

750:6;798:18;
806:2;831:9
attachment (6)
742:6,8,24;796:7,
12;798:8
attendance (1)
907:4
attention (7)
713:20;725:11;
750:19;751:20;
830:18;873:7;906:24
attenuated (1)
704:22
attorneys (1)
826:13
attributed (1)
886:15
audible (1)
838:1
Audio (54)
837:4,5,9,10,14,15,
23;839:12;845:18,18,
25;846:5,9,12,15;
847:10;852:24;853:7,
10,15;854:3,7,8;
864:22,24;865:7,25;
866:13;870:5,7,11;
871:10;872:23;880:3,
4,13,14,21,22;881:4,
5,13,20;886:10,11,17,
18,23,24;904:9,18,23,
24;905:4
August (27)
705:16,18,24;
706:3,7;711:14;
712:1,24;733:21;
780:1;828:4;829:3;
830:1;848:6,8,10;
882:14,25;887:2;
889:3;893:9;895:2,
23;899:15;900:19;
901:7,8
authenticated (1)
890:24
authenticity (1)
838:21
authorization (1)
828:8
availability (9)
759:23;760:7,9,12,
17;788:12;811:24;
854:22;896:6
available (2)
858:4;864:12
Avenue (1)
692:15
average (1)
811:4
avoid (1)
896:7
aware (16)
719:14;744:3;
752:9;754:25;755:6;

760:11;763:19;
766:22;767:8;802:6;
814:11;834:1;849:18;
857:16,18;895:1
awarenes (1)
873:14
awareness (2)
870:24;873:14
away (11)
703:13;744:24;
773:8;775:8;793:11;
799:19,20;801:16;
802:1;817:20;872:21
Azure (1)
752:4

B

back (52)
697:3;703:12;
706:19;707:8,9,10,15;
717:1;720:22;721:1,
5,11;727:24;729:22;
731:1;744:23;745:1;
747:5,24;751:20;
755:11;761:15;764:2;
771:21;774:23;
795:25;799:21;807:6;
818:3;822:7;825:15,
20;831:16;834:16,20;
841:15,17;848:18;
850:12;863:14;
864:13;868:7;884:9,
18;892:7;893:1,12;
900:2,12;902:7;
906:5;909:25
background (1)
782:7
backstory (1)
876:7
backtrack (1)
791:18
backups (2)
721:10;765:3
bad (2)
767:23;795:6
badly (1)
820:17
Bailey (21)
706:5;707:12;
708:11;711:8;714:10;
719:13;753:16;
757:10;779:9;781:12,
15;785:20;802:2,16;
803:9;811:14;821:14,
18;824:15;832:14;
887:12
BALSAM (167)
698:3,11,14,17;
699:5,8,14,20;700:5;
709:20,24;713:1;
714:15,25;715:16;
717:22;723:24;724:2;

725:12;726:17;
728:17;729:1;732:13;
733:7;734:15;735:17,
23;738:15,18;739:17,
20,24;740:24;741:17;
744:1;745:21;746:19,
23,25;747:2,4;748:12,
23,25;749:11,15;
754:9,22;757:4;
759:4,11;760:25;
761:1;765:8,10,22;
767:9,18;768:10,18;
769:18;771:10,13,19;
772:1;773:15;774:6,
8;775:20;776:18;
782:4,23;784:20,23;
785:14;786:13;788:5;
796:25;798:4,7;
799:25;803:14;
806:12;809:3,13,17,
20;810:1;815:9,12;
817:25;818:2;819:9;
820:10,15,23;821:19;
822:10,17,24;823:6,
12,18;824:11;829:19,
22;830:14;832:8;
838:10,13,19;839:6,
18;840:14;846:19,22;
847:6,18,25;848:5,15;
854:15,17;855:19;
856:11,23;857:4,6,13,
15;861:3,5,15;
862:21;863:9,11;
866:12,21,23;872:3,6,
22;873:2,9;877:13;
878:4,6;882:8;
883:24;884:2;887:5;
889:15,18;890:23;
891:24;893:16,19;
894:4;898:10;902:11,
14;903:18;905:9;
906:20;909:17,20;
910:9
bargain (6)
710:10;791:11,14;
795:19;803:2;808:1
bargaining (14)
710:9,12;781:21,
22;782:2,18,21,25;
783:13;784:6;790:20;
791:1,2;821:22
barista (8)
706:23;707:9,10,
15;734:10;779:12;
842:14;846:4
barista's (5)
717:16;736:25;
737:2;767:15;814:7
baristas (7)
708:3,19;714:6;
735:1,2;794:24;
795:14
base (2)

724:12;809:21
based (8)
745:20;756:2,3;
788:17,17;793:7;
839:15;891:6
Basically (12)
728:14;743:15;
762:10;831:9,22;
832:3;833:11;863:21;
867:9;874:19;876:2;
908:12
basis (6)
746:2;767:2;
773:21,23;776:8;
825:1
BASLAM (1)
759:6
bathroom (1)
767:22
bearing (3)
744:5;746:3;824:24
became (7)
707:19,23;722:5;
761:11;766:22;792:7;
849:18
Beck (1)
783:7
become (10)
707:18,21;722:4;
752:9;779:25;780:3;
792:6;828:6;871:5;
875:24
becomes (2)
812:25;813:6
becoming (1)
761:7
beer (1)
801:19
began (1)
828:3
begin (5)
718:19;787:16;
827:8,10;863:13
beginning (14)
721:18;733:21;
761:5,6;786:23;
789:16;801:11;
819:15;830:22;
844:11;850:3;853:1;
875:5;904:20
begins (1)
907:1
behalf (2)
859:2;867:11
behavior (1)
762:10
behind (1)
890:18
below (1)
805:17
bends (1)
893:14
benefit (1)

702:4
besides (5)
717:14;768:16;
790:11;823:11;
881:17
best (19)
710:7;711:19;
713:16;715:12;718:6,
7,10;721:2;731:6;
791:5,7,10;798:17;
804:2;835:17;847:12,
12;863:11;891:8
better (12)
713:4,5;737:11,12;
738:23;739:7;752:15;
761:22;793:11;
869:20;883:25;
902:12
beverage (1)
788:22
beverages (2)
717:5;721:8
beyond (13)
715:23;724:19;
746:4;769:1;775:5;
800:1;814:12;816:22;
822:17,24;823:6,12;
866:18
big (2)
790:18;807:25
bigger (1)
808:3
bin (11)
736:9;762:8;
765:24;766:3;768:5,
6;774:11,14,16;
775:16;793:4
bins (1)
734:7
bit (9)
704:20;754:20;
776:14;823:8;834:13;
844:10;860:9;900:12;
901:6
Bloomberg (2)
839:10,12
BOARD (9)
692:2,14;749:17;
751:22;839:7,13;
844:20;860:22;
861:18
bodies (1)
786:24
borrowed (1)
718:4
both (7)
743:17;764:22;
787:18;832:22;
876:17;898:2;905:2
bottle (1)
703:14
bottom (1)
724:8

bought (1)
897:21
box (2)
713:21;906:25
boy (1)
700:25
break (21)
701:10;707:5,6;
776:14;808:24;809:1,
1,4,8,10,15;825:7,21;
867:20,21,21;868:6;
887:23;888:14;892:6;
893:1
breaks (2)
788:25;789:1
Brian (2)
781:25;783:7
bridge (2)
762:9;802:3
brief (15)
701:25;702:1,5;
703:11;707:5,6;
748:20;776:20;809:6;
824:19;825:19;
836:19;840:8;862:11;
864:5
briefly (3)
698:25;717:16;
899:9
briefs (1)
889:5
bring (3)
737:9;747:24;873:7
bringing (1)
731:3
brings (1)
747:6
Brinkam (1)
778:22
Brisack (4)
780:10,10,11;896:4
Brisk (1)
704:24
Brittany (4)
765:13,17,23;776:6
Brittany's (1)
765:14
brought (3)
735:4;771:21;898:6
bucket (2)
793:5;812:10
buckets (2)
734:8;793:5
Buffalo (25)
692:15;697:11;
699:22;700:7;706:5;
707:12;708:4;808:18,
19,21;824:8,9,16;
828:19;829:3;831:13;
832:18;841:10;
849:15;898:2,3;
899:24;900:17;
907:10;910:13

build (1)
747:18
Building (2)
710:11;889:23
bullet (1)
713:21
bunch (3)
699:25;718:4;
897:21
business (12)
713:22;715:12,15,
22;716:4,5;731:18;
733:25;746:20,22,24;
790:6
busy (3)
715:25;764:3;775:2
butcher (1)
722:1

C

cafe (33)
713:22;714:1,14,
23;715:7;716:3,5,12;
717:3,9,15;720:3,25;
721:8;731:10;732:5;
737:15;764:3,23;
765:6;810:4;819:17;
835:2,4;843:16,18;
877:7;883:20;889:21;
890:8;891:14;902:3;
906:9
café (1)
834:24
California (1)
706:3
call (26)
697:5;727:20;
731:22;755:19;772:7,
9,10,14,25,25;773:4;
787:23;819:23;
821:22;833:3,5;
850:12,13;851:7;
853:3;861:8;871:7;
891:15;901:15,15;
908:25
called (17)
704:5;721:19;
728:11;734:3;762:1;
763:24;773:20;777:8;
814:6;815:10;819:6;
820:2;826:8;850:6,9,
11;907:17
calling (1)
731:10
calls (5)
775:20;776:23;
819:6;833:1;838:21
Cambine (1)
783:4
came (11)
692:12;707:10;
753:6,18;761:15;

784:7;794:2;821:24;
849:15;900:7;907:25
camera (2)
888:8;892:18
cameras (4)
720:17,19,20;721:2
Camp (15)
827:11;831:15;
835:2;842:15;874:5;
877:7;878:6;881:1;
883:20;900:4,20;
902:3;906:9;907:11;
909:5
campaign (5)
761:5;828:3;848:6;
849:16;884:16
can (78)
697:10;702:6,9,14,
19;703:3;713:3;
714:12,16;716:14;
727:21;728:16;
729:14,21;730:4;
736:11;746:12;751:3,
5;753:25;754:6;
755:11;769:11;
775:22;776:12;777:4;
785:18;791:13;793:3;
798:25;799:21;800:2,
7;801:18,22;802:23;
803:19;809:3,13,15;
815:11,13;822:5;
825:9,11;832:1,21;
834:19;837:24;857:8;
859:25;860:20,20;
861:23;863:14;864:4;
868:17;870:8;874:23;
875:6;876:21;879:8;
883:4,7;887:18;
888:24;892:1,24;
893:12;894:8;896:23;
900:6;906:5;907:14,
14;909:4,11,24
can't (13)
716:23;717:18;
721:25;728:17;
738:18;757:8;788:5;
801:23,24;818:21;
820:5;839:11;865:22
candidly (1)
747:6
capture (2)
844:14;878:24
card (1)
726:13
cards (1)
828:9
care (2)
764:25;909:22
careful (1)
862:1
Case (21)
692:3;697:17;
698:6;702:18;744:6;

745:8,22,22;746:2,4;
749:17;751:22;
760:20;806:17;
808:17,20;816:19;
828:22;853:19;
860:23;864:20
cases (1)
716:23
casual (1)
794:14
catch (4)
704:13;777:22;
826:20;828:11
Catherine (1)
871:1
cause (3)
755:12;760:13;
818:15
caused (3)
789:4;794:24;795:2
CC (1)
869:14
cell (13)
835:11,12;850:21,
25;855:6;859:11;
868:11;872:15;
878:16,17;885:1;
892:13,14
center (1)
803:24
certain (3)
788:21;857:1;
864:17
certainly (9)
701:4;727:1;840:7;
848:19;862:10;
864:15;891:19,22;
894:8
certified (1)
863:13
Chain (1)
724:6
challenge (2)
727:14,17
challenged (1)
726:25
chance (2)
698:25;700:23
change (3)
752:1;786:6;853:20
changed (3)
772:22;786:23;
805:16
changes (3)
788:12;822:15,18
changing (1)
870:24
channel (22)
751:17;752:22;
753:2,5,8,21,25;
754:15;755:1,4,14,19;
756:9,14,25;757:14;
764:2,4,22;780:21,22,

23
channels (5)
721:15;764:15;
780:23;789:3,5
chaos (1)
789:4
character (4)
743:16;745:6;
746:1,13
characterization (1)
768:22
characterize (2)
735:21;736:4
charge (2)
792:20;819:1
charges (1)
853:22
Charging (1)
692:9
charities (1)
802:5
check (2)
700:14;817:5
chief (1)
741:4
choice (2)
861:19;909:14
choose (1)
871:4
circulated (3)
860:12;880:1;886:8
circumstance (1)
758:4
Circumstances (9)
739:20;740:7,8,12;
745:9;757:14;765:21;
851:8;862:13
citywide (1)
907:9
claiming (1)
862:25
clarified (3)
741:23;773:24;
774:1
clarify (8)
727:10;729:8;
770:12;772:6;798:16;
802:8;821:1,2
clean (3)
716:23;721:9;
812:20
cleaning (2)
812:18,21
cleanliness (2)
762:12,16
clear (12)
701:21;716:13;
721:7;724:15;729:10;
798:8;833:13;839:23;
840:1;856:23;864:4;
895:14
click (2)
832:3,4

clicked (1)
831:13
clock (14)
874:20,21;876:1;
882:22,23;900:9,10;
901:4,5;905:20,21;
907:21;908:2;909:6
clocked (4)
875:24;900:11;
908:1;909:5
close (46)
697:16;706:13;
714:14;715:6,9;
716:17;717:20,24;
718:1;724:25;730:1;
731:10;750:13;752:3;
753:21,25;754:4,7,15;
755:1,4,23;756:9,20;
764:4;765:6;769:20;
770:8;771:8,18,23,25;
773:14;775:1,3;
787:20;791:6;810:4,
15;818:22,22,22;
819:16;820:4;821:23;
824:17
closed (49)
713:22;714:1,10,
23;715:10;716:22;
717:18;718:11,12,15,
17,25;719:14,18,21,
23;720:9;721:5,7,16;
730:20;734:8;736:9;
749:24;750:3,4,9;
751:7,17;752:3,21;
753:1,2,4,8;754:7,10;
756:14;757:13;758:2;
762:9;764:3,3;
765:24;769:8,9,9;
802:10;817:16
closer (1)
873:22
closing (24)
716:3,5;717:8,15,
18;718:7;719:9;
731:5,20;732:7,10;
734:7;750:17;751:23;
755:14,19;756:24;
757:21;758:24;768:5,
6;791:11,12;820:14
closings (1)
711:21
coach (3)
734:6,9;762:11
coaching (7)
737:13;762:6;
813:12;875:12,21;
877:2;882:1
code (4)
840:4;865:22;
870:19;907:1
coffee (14)
703:19;712:15;
799:19,20;800:13,20;

801:14,16,19;816:16,
23;817:4,9,12
Cohen (10)
709:3;776:23;
777:7,11;784:24;
785:2,4,9,12;824:8
C-O-H-E-N (1)
777:3
colleague (2)
746:1,6
collective (2)
709:21;737:6
Colleen (1)
781:25
color (1)
887:15
com (1)
704:23
combo (1)
808:25
comfortable (2)
794:15;820:1
coming (8)
698:1;706:19;
716:8;721:12;764:22;
786:25;840:9;865:20
Comment (3)
697:5;786:19;
824:19
comments (2)
807:21;808:6
committed (1)
792:25
committee (7)
781:21,22;782:3;
784:7;792:20;828:8;
829:3
common (2)
840:6;861:1
Commons (1)
832:15
communicated (1)
898:23
communication (2)
815:3;830:9
community (1)
870:25
comp (1)
830:24
company (8)
707:7;761:23;
808:4;827:21;862:24;
863:14;867:10;
900:16
comparable (1)
704:23
compared (1)
847:21
comparing (1)
873:5
comparison (1)
710:25
complaint (15)

704:7,13;735:25;
749:22;777:10,14,24,
25;778:1,3;824:25;
825:3;826:12,21;
839:24
complaints (2)
717:11;736:15
complete (10)
698:3;701:5;704:9;
723:14;724:3;836:1;
855:13;887:1;904:9;
905:5
completely (4)
745:25;812:16;
823:3;834:2
compliance (1)
698:21
complicated (1)
702:24
component (1)
725:17
comport (1)
752:2
concern (4)
697:4,5;860:21;
861:2
concerning (1)
863:3
concerns (4)
698:17;737:17;
787:1;794:15
conduct (3)
700:12;745:14;
767:1
conducted (1)
698:20
confer (2)
698:19;727:5
confident (1)
863:4
confirm (4)
745:16;819:5;
865:17;893:23
confirming (1)
867:9
confused (1)
754:20
confusion (1)
853:19
connect (1)
850:5
connection (3)
749:17;824:25;
825:3
cons (1)
840:8
consequences (3)
732:1;791:25;808:8
consider (1)
768:1
considered (3)
781:20;811:2;
827:14

considering (1)
866:19
contact (7)
723:19;725:21;
726:5,12;730:5;
731:5,8
contacted (3)
755:13;833:17;
858:25
context (3)
697:13;704:21;
735:10
continual (1)
840:25
Continue (9)
715:2;747:25;
825:22;836:20;
874:15;899:15;
900:22,25;901:7
continued (4)
793:13;841:1;
900:20;905:15
continuing (1)
728:18
continuously (1)
705:17
contract (20)
714:13;781:11,13;
782:14;784:6;788:2,
13,18;790:3,11,18;
807:22,24,25;808:1,2,
2,3,4;821:4
contradicts (1)
756:7
control (1)
751:14
conversation (95)
723:14;731:2,16,
23;732:3;733:14,14;
736:18;740:25;
750:12;771:17;783:1;
787:11,14;789:19,22;
790:17,19;791:20;
793:13;794:13;799:4,
7,9,11;800:15,17,23,
25;801:2;810:13;
813:13,17,20,23;
814:16;816:9;835:6,
8,10,15,18;836:1,23;
843:17,18,21,22;
844:6,9,11,14;845:3;
848:11;849:22,24;
850:15,18,20;851:11;
852:13,15;854:10,18,
21;858:22;859:7;
860:19;875:23;876:2;
878:13,15,24;879:15;
881:16,22;882:1;
884:23,25;885:4,24;
887:1,8;894:23;
896:24;897:20;
899:14,19;900:20;
901:7;902:19,22;

903:2;904:10;905:5
conversations (12)
722:7;736:14,17;
771:24;814:7;840:25;
847:7;855:13;873:13;
875:18;894:18;
896:20
cook (1)
765:2
COPARATION (1)
692:5
copies (1)
887:15
copy (20)
713:17;726:12;
743:18,20;783:22;
784:15;785:6;797:23;
798:17;805:20;806:7;
824:14;839:8,9,12;
855:6;869:10;877:2;
883:25;902:12
corner (2)
805:11;843:5
corporate (3)
708:5,23;709:6
Corporation (1)
745:18
corrected (1)
864:16
correction (2)
901:16,16
corrective (1)
877:19
correspondence (2)
790:23,24
couldn't (10)
715:15,21;752:9;
772:23;774:9;788:16;
789:7;790:5;890:22;
895:8
Counsel (29)
697:4,4;698:18,18;
700:16;704:7;710:16;
715:3;732:16;743:25;
748:5;773:8;776:8,
23;806:18;836:20;
839:10,23;842:9;
848:24;855:21;
862:22,22;867:17;
879:8;891:10;898:17;
909:14;910:6
Counsel's (35)
723:9;725:15;
726:7;742:22;784:8;
785:16;797:9;798:13;
824:10;839:21;845:4;
848:22;852:14;
855:23;860:15;867:1;
871:24;873:8;877:3,
17;879:16;882:11;
883:14;884:7;885:25;
887:7,25;892:2,9;
901:21;902:17;904:4;

905:12;906:4,22
counters (1)
762:10
country (1)
897:22
couple (12)
697:19;773:10;
832:16;843:13;
858:11,11;872:19;
874:13;875:7,8;
876:5;895:6
course (9)
748:2;776:13;
819:10;824:12,20;
841:16,18;869:23;
910:1
court (9)
861:25;862:24;
863:4,5,13;866:18;
869:23;871:13;
881:25
courtesy (1)
700:7
courtroom (1)
745:2
cover (4)
730:2;787:24;
821:3;831:23
coverage (3)
815:18;816:3,8
covered (5)
699:16;773:17;
815:10;867:9;895:17
covering (1)
895:20
COVID (2)
716:20,23
COVID-19 (1)
716:21
coworker (3)
745:15;842:14;
907:12
coworker's (1)
745:23
coworkers (1)
828:9
crazy (1)
863:18
cream (1)
812:10
create (2)
734:1;866:16
created (1)
795:6
credibility (2)
759:4;891:16
credible (1)
876:16
criteria (1)
832:2
critic (1)
763:23
critically (1)

847:8
CROSS (17)
748:24;771:7,22;
773:21,22;809:13,25;
819:15;820:25;
822:17,25;823:6,13;
898:18;909:15,16;
910:5
cross-examinations (1)
759:2
culture (1)
898:16
cumulative (5)
726:18;746:5,10,
11,14
cups (1)
703:19
currently (6)
705:13,14;778:21,
22;827:18;838:17
customer (8)
764:19;785:25;
786:5,12,16;811:21;
812:16,20
customers (23)
716:7,7,9;717:4,8,
14;718:7,10;721:7,
15;729:17,20;765:1;
775:2;787:20;789:3;
799:19;800:20;
802:10;817:16,20,23;
876:13
cut (3)
724:8;851:15;
862:17
cycle (1)
812:16

D

daily (1)
812:21
Daniel (2)
709:3;781:25
date (29)
705:16;713:3;
750:19;752:9,10;
764:2;797:13,15,21;
805:8,11;829:23;
838:14,20,23,24;
839:2;846:23,25;
847:10,17,20;854:18;
857:15;862:23;872:7;
888:22;891:1;894:9
dated (1)
906:16
dates (1)
889:5
David (1)
827:17
day (79)
702:7;703:5;706:9;
714:5,7;715:10,15,22;

721:16,18,21;722:8,9,
14;728:7;730:15;
731:18;750:20;751:5;
753:6;757:18;764:4,
12;766:23;767:24;
770:13,22;772:25;
790:6,8;791:8;794:2;
799:3,5,6,12;800:19;
801:9;805:12;807:7;
810:15;814:5,20;
818:14;821:23;
834:19;836:2;842:25;
849:25;850:7,13;
851:5;854:10,20;
855:2,4,21;856:4,6,
12;857:3;858:14;
874:19;888:15;892:7,
22;898:5;904:10;
906:16;907:5,8,9,22;
908:8,10,15,16;
909:19,24
days (27)
697:19;701:16;
706:15,24;733:18,19,
20;738:13;752:14,15,
16;759:24;760:7;
766:20;779:19;
786:14;800:16;
856:24;861:1;872:19;
873:22,23;882:19;
893:5;895:7;900:8;
901:3
deal (8)
698:19;747:21;
761:22;790:14,22;
791:25;863:14;
864:15
dealing (1)
808:7
deals (1)
840:1
Dear (1)
829:2
December (1)
718:4
decided (4)
707:7;733:16;
771:8;780:13
decision (20)
714:14;715:6,12;
724:25;745:25;746:3;
750:13;754:3;756:20;
761:13;790:13,21;
791:24;808:7,10;
861:23;870:14,23,23;
871:2
decisions (1)
731:9
definitely (9)
711:17;729:14;
746:17;755:11;766:1;
772:24;795:2;825:11;
870:2

definitive (1)
841:4
definitively (1)
776:2
Deisha (2)
894:22,25
deja (1)
806:12
Delaware (3)
714:9;779:8;811:12
delivered (1)
906:11
delve (1)
898:18
delving (1)
710:19
demand (1)
716:10
denied (1)
700:11
departed (1)
849:19
depend (1)
763:2
dependent (1)
811:21
depicted (3)
842:12;852:16;
874:16
Desa (1)
894:25
describe (6)
769:16;786:11;
792:22;821:17;
868:17;907:14
design (3)
889:25;890:8,9
Desiree (6)
884:20;886:20,21;
897:20;902:5;905:2
desperately (1)
773:5
detail (1)
773:19
details (1)
739:24
develop (2)
806:16;861:21
device (1)
847:13
didn't (43)
707:13;709:5;
717:7;718:19,21,23,
24;719:1,19;721:18;
722:15;725:8;731:5;
738:1;749:12;752:12;
754:7;755:20;756:18;
759:12;762:12;
764:18;768:11;775:1;
788:13,17;791:9;
793:11;795:3;799:17;
800:9;803:25;812:19;
820:5,6;821:3;

825:13;828:11;861:7,
20;897:2;901:10;
904:6
died (1)
876:9
difference (3)
698:7;759:9;762:20
differences (1)
822:9
different (22)
706:2;707:14;
714:5;716:22;762:18;
773:16,23;799:17;
802:5;811:19;813:10,
24;819:24;823:3;
831:6,11,13;833:12;
841:1;853:19;892:7;
897:22
differently (2)
812:2;863:3
difficult (1)
795:2
dire (22)
723:24;724:1;
784:20,22;798:4,6;
829:19,21;838:10,12;
846:19,21;854:14,16;
866:11,12;872:3,5;
889:15,17;893:16,18
DIRECT (12)
705:5;772:3;
773:19,22;778:9;
807:17,19;818:24;
826:25;830:18;860:3;
906:24
directly (4)
725:5;741:7;
745:10;833:17
dis (1)
783:9
disadvantage (1)
744:8
discharge (4)
704:11,11;807:2;
827:24
disciplinary (5)
701:1;704:14;
734:2,3;814:15
discipline (6)
761:17;763:25;
767:6;814:12;816:25;
817:11
disciplined (7)
719:9;733:3;
757:20,22;762:15;
770:8;817:22
discrepancy (1)
853:23
discuss (5)
748:15;776:11;
814:8;823:21;910:21
discussed (2)
735:6;782:25

discussion (17)
758:9;814:13;
815:3;816:15;817:4;
825:6;834:24;835:1;
839:25;840:11,12,15,
16;849:11;851:22;
852:1;858:22
discussions (2)
792:16;817:3
dishes (1)
765:2
dislike (1)
803:25
disliked (1)
803:24
displayed (1)
838:20
dispute (2)
703:1;739:18
distributed (2)
897:20,21
distributing (6)
722:22;725:24;
742:14;784:2;796:15;
804:25
district (6)
718:3;794:1;
797:11;833:1;849:19,
20
document (42)
702:13;713:16;
729:3;744:2;746:6,8,
22;784:24;785:9,18;
797:18;806:16;
828:16,24;829:4,9,23;
830:5;836:10;842:10,
12;844:24;876:24;
877:1,4,6;878:3;
879:9,13;883:10,19;
885:18,20;890:24;
891:5;892:5;901:19,
22;902:8;905:25;
906:6,8
documented (2)
877:2;882:1
documents (17)
697:10,12,20;
698:21;699:1,4,9,22,
25;700:14,17,19;
701:1,15;702:10,17;
729:1
doesn't (11)
727:14;736:19;
746:2,15;759:8;
799:22;824:24;
872:20;876:18;
890:18;901:16
Dolce (2)
839:10,13
domain (1)
831:8
don't (91)
699:20;700:1,16,

20;702:12,12,12,16,
25;703:1,13;708:7;
709:7;720:8;722:1;
727:13,23;729:6;
732:16,20;736:13;
740:1,10,12;744:9,21,
24;746:8;748:11,15;
750:22;752:23;
754:18;755:21;
757:23,24;758:6,7;
765:25;775:7;776:14;
808:22;818:16,21;
819:2,4,7;820:3;
821:25;824:14;
829:25;831:19;838:1,
3,18;839:2;847:3,20;
848:18;849:7,25;
854:20;855:1,3,7;
856:2;860:2,13;
861:8;863:9,23,23,24;
864:5,8;871:17;
872:9,14,17,17;
875:14;876:11;
877:20;884:3;889:25;
890:8;903:20;909:21,
22;910:16,21
donate (2)
802:5;870:25
donated (2)
802:2,3
donations (1)
802:6
done (12)
697:17;710:16;
741:3;757:19;783:18;
788:23;812:24;
862:22,23;863:13;
868:3;891:24
door (4)
703:19;719:25;
744:25;842:14
doors (5)
717:3,4;718:19;
720:2;721:11
doorway (2)
730:25;900:2
down (26)
704:13;721:1;
724:25;731:10;
733:22;756:20,25;
757:13,21;758:2;
765:6;787:20;789:9,
24;794:21;810:4;
812:17;815:18;818:4;
819:25;820:4;821:23;
826:21;858:1;894:9;
895:4
download (1)
860:1
dozens (1)
898:1
DPU (1)
874:13

draft (1)
860:22
drama (1)
803:24
drastic (1)
812:25
drawing (1)
751:20
dress (4)
840:4;865:22;
870:19;907:1
drinks (2)
736:10;764:25
drive (13)
715:13;716:6,24;
717:2,11;718:8;
720:24;732:4;764:16;
789:9;851:15;869:8,
18
driven (1)
801:9
drive-through (6)
718:25;764:23;
787:19;850:10;853:2;
907:16
Dropbox (1)
860:3
drove (1)
909:4
DTO (1)
732:4
due (2)
787:21;830:23
duly (4)
704:5;777:8;826:8;
866:15
dump (2)
699:21;702:18
dumped (1)
700:1
dumps (1)
702:18
DUPLECHAIN (2)
698:10,12
Dupuse (1)
849:17
duration (1)
790:7
during (15)
706:11;713:22;
716:20;747:21;
761:10;782:14;
800:20;844:6;871:1;
875:5,10;877:10;
895:4;908:4,5

E

earlier (11)
697:17;728:7;
730:5;751:16;764:4;
795:22;818:4;855:8;
860:19;872:11;

908:16
early (9)
  701:11;789:24;
  791:12;810:15;
  818:22,22;872:13;
  898:24;901:5
easier (4)
  809:4,4,13;822:3
easy (1)
  862:21
edit (7)
  831:24;844:17;
  851:12;866:5;871:25;
  886:1;904:12
edited (7)
  851:14,19,21,22;
  852:6;855:8,17
editorial (1)
  824:19
edits (12)
  836:14,16;845:7,9;
  852:3,18,20;879:17,
  19;886:3;904:5,7
effectively (1)
  826:16
efficient (2)
  808:23;809:22
eight (5)
  697:11;808:20;
  826:16;837:25;
  901:15
Eisen (1)
  897:16
either (5)
  700:24;706:18;
  850:3;875:10;894:11
elected (1)
  843:17
election (1)
  829:12
electronic (1)
  784:13
Elmwood (10)
  692:14;832:13;
  887:11;895:18;896:4,
  13,15,17;897:1,5
else (27)
  710:24;714:19;
  715:6;731:16;732:23;
  740:25;747:18;769:1;
  774:14;781:22;
  787:13;788:6,10;
  790:12;799:7,22;
  800:8,23;809:1;
  839:7,11;840:2;
  849:1;865:21;873:11;
  897:13,13
else's (1)
  814:14
elsewhere (3)
  800:10,11;807:11
Elwood (1)
  896:1

email (43)
  742:2,6,21,23;
  743:3,6,6,7,17,18;
  784:25;785:3,3,6,7,
  11;791:4;796:6,7,9;
  797:7,12,13,16,18,24;
  804:18,19;805:7,9,12,
  15,18,18,21,23;806:2;
  860:2;869:8,10;
  887:15;910:10,10
emailed (7)
  742:1;837:3;869:9,
  15,16,20,23
employed (4)
  706:1;757:11;
  779:6;827:18
employee (5)
  746:7;801:21;
  818:25;831:10;834:1
employees (10)
  719:14;767:16;
  770:13;771:4;783:6;
  785:20;786:1;801:18;
  821:14;897:17
employer (15)
  710:13;782:2,22;
  784:7,16;791:11,14;
  795:17,19;796:3;
  802:21,24;803:2;
  809:1;843:10
end (20)
  702:7;733:21;
  750:20;769:7;787:9;
  801:11;802:3;827:9;
  829:25;834:10;
  846:24;848:8;850:3,
  3;851:10;856:7;
  865:11;873:20;901:8;
  909:23
ended (2)
  708:13;865:25
ends (1)
  724:12
enforce (1)
  735:2
enforced (2)
  849:6;899:1
enforcement (2)
  766:6;840:4
enforcing (2)
  734:12;735:1
engage (1)
  813:10
engaged (4)
  767:1;813:24;
  814:8,20
engaging (2)
  812:20;814:13
enough (8)
  718:19;728:15;
  774:25;786:24;
  815:17,24;869:16,19
ensure (1)

891:3
entail (1)
  794:18
enter (1)
  824:6
entire (9)
  700:12;766:10;
  801:12;871:21;
  888:15;892:22;
  895:15;897:6,10
entirety (1)
  700:23
entitled (2)
  701:25;702:2
entrance (1)
  900:3
environment (1)
  795:6
essentially (2)
  826:14;860:23
establish (1)
  847:8
ethic (1)
  769:17
ethically (2)
  861:14,18
even (13)
  718:18;759:18;
  763:23;787:23;790:3;
  801:24;863:7,18,19;
  866:15;890:9;895:1;
  898:4
event (2)
  807:1;870:17
events (3)
  752:16;809:6;847:8
eventually (2)
  833:20;906:15
everybody (10)
  737:19;815:24;
  821:25;838:2;898:5,
  7,15;901:11,11;
  903:19
everyone (11)
  782:1;783:8;809:1;
  816:3;825:15;864:13;
  867:21;869:14;
  898:21;899:3;910:19
evidence (32)
  712:15;723:23;
  726:16;727:1,4,18;
  743:24;744:2,7;
  746:13;784:18;
  785:16;796:16,20;
  798:2,14;806:11;
  830:17;839:22;842:9;
  847:12,12,25;848:2,
  23;861:9;863:19;
  864:2;866:10;872:2,
  24;891:8
evident (2)
  890:7,16
exact (6)

750:22;806:15;
  831:8,20;839:2;
  847:20
exactly (8)
  720:9;756:22;
  829:25;851:7;854:20;
  857:9;872:9;891:11
EXAMINATION (14)
  705:5;748:24;
  767:12;773:21;774:7;
  775:13;778:9;807:19;
  809:25;818:24;
  819:13,15;820:25;
  826:25
examined (3)
  704:6;777:9;826:9
example (9)
  762:25;763:5;
  793:3;812:7;813:3;
  824:24;848:7,16,18
examples (2)
  812:9,12
Excellent (1)
  818:8
except (1)
  751:24
exceptions (1)
  848:19
exchange (1)
  726:20
Excuse (3)
  782:17;793:8;
  797:21
excused (3)
  744:16;776:11;
  823:21
exercise (2)
  738:25;862:15
Exhibit (95)
  712:15;722:23;
  723:9,22;724:8;
  725:15,25;726:7,15,
  19;742:22;743:24;
  755:8;784:2,8,18;
  785:16;796:15,16;
  797:3,9;798:1,8,9,13,
  16;805:1,1,2,2,3,6,23;
  806:10;824:7,10;
  825:6;828:16,17,20,
  23;830:17;836:7,8,9;
  837:1,2;838:9;
  839:21;842:9;845:4;
  847:24;848:22,25;
  852:14;855:12,23;
  860:15;862:7;867:1;
  871:12,24;873:8;
  874:16;876:21;877:3,
  17;879:8,16;880:1;
  882:11;883:8,14;
  884:7;885:17,25;
  887:7,18,21,22,25;
  889:13;892:2,4,9;
  901:11,21;902:17;

903:11;904:4;905:8,
  12,23;906:4,22
exhibits (3)
  798:25;869:7;
  871:15
existence (1)
  810:16
expansive (1)
  700:18
expect (4)
  698:3;871:13;
  873:2,6
expectation (1)
  870:18
expected (2)
  697:18;871:3
expecting (1)
  850:13
experience (15)
  738:14;756:3,4;
  771:8,11;788:19;
  793:7;794:22;803:13,
  20,25;804:1;815:17;
  818:23;891:15
experienced (2)
  818:19;865:17
experiences (1)
  771:9
expired (1)
  833:22
explain (5)
  731:24;739:24;
  744:10;832:21;
  851:14
explaining (1)
  876:7
explanation (1)
  700:15
explore (1)
  736:1
express (2)
  708:16;781:2
expressed (1)
  861:9
extent (2)
  738:3,20
extra (7)
  701:17;712:15;
  787:23;788:12,15;
  808:23;825:9

F

fact (18)
  727:15,17;741:10;
  744:4;745:25;746:9;
  747:18;767:4;774:17;
  785:11;806:14;
  811:18;813:8,10;
  816:3,12;863:2;
  876:17
facts (1)
  860:23

failure (2)
877:16,20
fair (9)
713:8;829:12;
836:22;837:20;
858:13,15,16;861:23;
886:5
Fairly (2)
859:21;900:8
faith (1)
698:21
fall (3)
750:16;758:24;
761:10
false (1)
788:5
fam (1)
834:1
familiar (9)
707:16,18,19,21,23;
779:23,25;780:3;
794:17
familiarize (1)
834:22
families (1)
764:21
family (3)
722:15;725:10;
801:24
far (6)
698:10;744:24;
755:6;865:15;871:2;
872:21
fast (1)
736:10
February (3)
708:14;792:8;842:3
federal (1)
811:2
feedback (5)
865:15,18,20,23;
900:13
feel (12)
701:25;702:1;
739:3;748:14;806:12;
820:6;825:7;840:2;
865:14;866:17;884:2;
909:17
fellow (3)
739:15,21,23
felt (2)
715:21;815:23
few (12)
708:8;710:9;714:5;
766:20;777:12;
781:24;789:1;833:16;
834:12,13,23;875:1
field (1)
740:21
figure (2)
857:9;862:13
file (9)
749:22;797:22;

838:16,17,19;847:10;
857:8;890:12,25
filed (2)
853:22;867:11
files (1)
839:12
filing (1)
749:21
fill (1)
841:2
filter (1)
832:1
final (3)
901:17,25;903:11
find (2)
816:2;896:8
fine (11)
728:21;772:4;
773:11;776:9,9;
820:18;838:5;849:8;
862:20;909:15,16
finish (1)
898:11
finished (2)
836:10;851:11
finishing (1)
697:16
fired (4)
739:19;740:5;
749:20;827:21
firm (2)
778:23,25
first (44)
697:9;701:6;703:5,
23,24;705:24;706:15;
709:22;718:12;
726:19;755:25;
758:16;777:1;781:7;
783:11;786:1;791:20;
808:19;811:13;
813:12;825:24;826:1,
2,3;827:8;830:1;
831:7;834:16,19;
842:20;843:12;
845:22;849:18;858:3;
861:5,6;867:14;
872:21;875:4,5,6,8;
904:21;907:16
fishbowl (1)
720:20
Fisk (1)
827:17
fit (1)
724:14
five (6)
730:2;733:20;
770:25;803:11;
845:20;868:3
fix (1)
873:7
flexible (2)
701:12,18
flip (1)

714:12
floater (1)
819:25
floor (17)
720:23;732:5;
751:5;764:7;767:22;
787:12;789:21;
790:19;792:21;
793:10,12;801:7;
813:17;828:13;
865:23;876:14;
897:11
focus (4)
705:24;713:20;
716:9;732:24
focused (1)
767:24
focusing (4)
706:19;723:12,13;
728:5
folder (1)
825:6
folks (4)
772:16;840:7;
856:21;891:20
follow (9)
809:21;840:24;
841:12;858:23;868:9;
870:12,20;895:7;
897:4
following (9)
799:3;800:16;
849:12;854:21;867:7;
894:24;899:11;
900:19;901:7
follows (5)
704:6;777:9;
803:24;826:9;865:7
food (6)
763:5,16,17;765:2;
768:2;870:17
foot (2)
738:6;801:12
forced (1)
820:8
foremost (2)
825:25;861:6
forgetting (1)
831:8
forgot (2)
744:17;796:24
form (4)
708:6;780:6;
840:14;865:10
formal (1)
707:25
formed (1)
767:2
formerly (1)
884:22
forms (5)
716:19,20,22;
781:2;877:20

forth (2)
747:5;848:18
forward (2)
864:19;866:25
forwarded (1)
806:21
foundation (3)
747:18;782:24;
847:23
four (12)
720:23;730:1;
770:23;774:17,20;
776:6;787:8;803:11;
819:24;831:1;837:6;
910:12
fourth (1)
792:13
fractions (1)
793:17
frame (4)
705:24;706:11,16;
728:14
frankly (1)
700:1
free (3)
748:14;778:22;
801:20
frequently (4)
738:12;789:2;
803:10,21
Friday (4)
698:4;701:7;
779:20;911:2
fridge (1)
734:8
friends (1)
749:3
friendship (1)
766:16
front (6)
730:25;813:20;
835:4;855:12;907:19,
20
frustration (1)
790:18
fulfill (1)
788:23
full (16)
701:16;743:8;
790:8;791:15;844:13,
14;845:12;851:19,25;
852:15;854:9,9;
861:21,22;866:8;
878:24
fully (3)
698:3;721:22;
812:21
FURTER (1)
775:13
further (14)
748:3;767:9;774:2;
776:1;807:14;808:12;
814:17;817:3;819:9;

823:15;864:18;867:3;
908:7;909:13
future (2)
807:10,12

G

game-winning (1)
863:20
Garcia (11)
794:2;797:11;
874:12;878:12,25;
879:15;880:8,11;
881:15,17,23
gathered (1)
802:4
gathering (2)
722:15;725:10
gave (11)
736:6;773:22;
802:10;812:7,9;
815:23;861:6;884:19;
891:13;902:4;906:10
GC (71)
701:8;712:15;
722:23;723:22;724:8,
15,15;725:25;726:15,
19;743:23;755:7;
784:2;796:15,15,19;
797:3;798:1,8,9,16;
804:25;805:1,2,2,6,
23,25;806:10,22;
824:6;825:5,22;
828:16,17,20,22;
829:16,18;830:15,17;
836:7,8;837:1,2;
838:8;839:19;844:23;
846:16,16;855:12;
864:17;865:4;866:10;
874:16;876:21;880:1;
882:6;887:18,21,21;
888:21;889:13;892:4;
901:11;903:11,12;
905:8,23;906:19;
909:11
GC- (1)
884:5
GC's (1)
883:8
GC-41 (6)
722:24;723:9;
724:15;725:14,15;
726:23
GC-42 (2)
726:7;727:3
GC-43A (1)
742:22
GC-44 (2)
784:8;785:16
GC-45 (1)
797:9
GC-48 (1)
824:10

indication (2)
699:24;838:20
Indiscernible (4)
854:6;865:15,19;
871:6
individual (8)
701:2;728:18;
732:14;737:5,5;
738:18;744:5;774:10
individually (1)
735:5
individuals (7)
709:21;732:12;
760:12;793:8,16;
874:23;875:6
information (4)
697:8,8;704:23;
831:24
informed (3)
717:4;830:12;
899:19
infraction (4)
793:3;812:7,12;
813:5
infractions (10)
761:23;762:5,8;
766:13;793:1,9;
794:16;814:4,8,20
initial (2)
828:8;875:11
initially (3)
713:14;733:13;
849:17
injury (2)
830:23;858:3
in-person (1)
841:2
inserting (1)
860:22
inside (4)
717:4;801:10,12;
907:17
instance (6)
718:14,16,22;
719:9,22;720:8
instances (3)
718:2;782:13;
819:22
instant (1)
801:19
instead (5)
707:13;746:13;
762:20;867:8,9
institute (2)
792:3,9
instructed (1)
843:16
intend (2)
727:14;781:3
intended (1)
698:4
intent (3)
708:16;758:17;

802:22
intention (2)
758:13;759:19
interacting (1)
883:1
interchangeably (1)
716:13
interesting (1)
876:4
interim (2)
874:14;910:20
internally (1)
793:15
interrupting (2)
861:15,16
into (46)
704:15;710:19;
719:25;723:22;
726:15;743:24;744:7;
745:9;757:18;773:21;
782:5;783:17;784:18;
785:16,19;786:7;
793:5;794:2,7,20;
795:5;796:16,20;
798:1,13;806:10;
812:16;818:5;823:8;
830:17;834:16;
838:21;839:22;842:8;
848:23;849:15;
850:12;860:18,23;
872:2;874:19;891:15;
898:18;900:12,25;
905:15
introduce (2)
724:16;792:14
introduced (3)
735:8;792:11,12
introducing (1)
793:19
introduction (4)
726:19;744:1;
866:13;891:5
invitation (1)
873:4
involve (1)
710:12
involved (6)
715:6;799:17;
814:16;824:16;828:3,
6
involvement (1)
871:1
Involving (1)
704:24
iPad (1)
734:10
irrelevance (1)
822:24
irrelevant (3)
726:20;744:7;
745:25
isn't (7)
753:20;760:6;

800:7;810:15;811:18;
815:22;818:3
isolation (1)
812:23
issue (19)
732:14;739:5;
745:21;760:4;764:18;
768:2;806:13;809:7;
815:9;817:14;818:3;
841:5;871:5;883:3;
898:9,14,18;899:5;
907:5
issues (8)
745:24;795:1;
803:21,23;806:15;
813:24;839:25;864:3
it'd (1)
873:2
it'll (3)
697:14;704:22;
710:25
it's (117)
699:9,12,25;
702:15,24;704:21;
726:17,18,20,21,24;
727:9;732:20,20,23;
735:24;736:19;
741:20;743:4,10;
746:4,4,10,11,17,17,
23;747:17,20;751:3;
752:11;759:2,2;
761:14;764:20,24;
773:25;776:9,9;
777:12;778:22;782:5;
797:21;806:13;
808:23;809:13;
812:24;814:18;816:5;
823:1,6;826:3,14,16;
829:7;831:9,18,19;
837:13,19;838:3,4,22;
840:2,3;848:3,16,17;
855:21;859:11;
860:14;861:1;862:4,
20,20;863:18,18,19,
21,21;864:1,2,3,20,
23;866:17;868:5,19;
870:10;873:5;875:15;
877:18;884:2,15;
886:15,15;889:21;
890:3,3,7,7,16;
891:13,18;892:14;
898:20;899:3,3;
901:17,25;903:13,17;
906:3,16;909:19,20,
23
items (3)
817:16,19,23

J

January (13)
705:25;706:4,7,14;
753:18;761:16;

830:18,22,24;831:2;
832:25;842:3;895:2
Jaz (2)
780:8;896:4
Jaz's (1)
780:9
Jazz (1)
704:24
Jencks (1)
910:6
jenk (1)
748:7
Jennifer (1)
783:7
Jersey (4)
898:4,19,20;899:8
Jessica (1)
830:13
Joard (1)
883:5
job (4)
733:14;737:20;
758:14;831:11
Johnson (4)
828:7;829:13,14;
876:9
joined (1)
828:7
Joining (1)
808:11
joke (1)
864:21
joking (1)
864:20
Jones (1)
797:11
Jose (1)
706:3
Josh (1)
839:9
jot (2)
704:13;826:21
Journey's (1)
802:3
Juan (1)
846:7
Judge (442)
692:13;697:3,11,
21,23,25;698:2,13,16,
23;699:7,16;700:5,10,
21;701:22,23;702:6,
21;703:1,2,7,9,12,17,
17,22;704:1,7,12,18,
24;705:1,4;709:23,
25;710:16,19,23;
711:2,5;713:7;
714:16,20;715:2,19;
716:1,15;717:23;
719:5;720:6,13;
722:24;723:1,25;
725:12,13,16,19;
726:17,22;727:8,13,
17,22;728:2,21;729:4,

7,10,13,19,22;730:4,
8;732:15,23;733:1;
734:16,20,22;735:19;
736:2;738:17,20,21;
739:18,22;740:1,5,8,
11,14,16;741:1,9,19,
22;742:16;743:25;
744:1,8,13,15,19,21;
745:1,12,14,19;
746:15,17;747:1,3,5,
9,11,14,24;748:5,7,
10,12,13,17,19,21;
749:13;754:6,18;
757:3;759:2,4,5;
765:8,9,19;767:10,19;
768:12,23,25;769:13,
24;770:1;771:12,15,
20;772:2,5,12,16,19,
22;773:3,6,8,11,17,
19,20,25;774:4;775:7,
12,21;776:2,8,9,10,
17,18,19,21,25;777:4,
10,13,15,20,22;778:2,
7;782:8;783:2;
784:19,20,21;785:14,
15;786:17;788:7,10;
789:5;794:9,11;
796:17,19,21;798:3,5,
11;800:2,5;801:2,5;
803:15;806:18;807:1,
4,16,18;808:13,16,22;
809:3,8,9,11,12,13,16,
18,23;815:11;817:25;
818:1;819:10;820:11,
16;821:3,6,10,20;
822:11,19;823:5,7,14,
17,20,24;824:2,4,12,
18,23;825:10,11,14,
17,18,20,24;826:5,11,
14,17,20,23,24;
828:11,14,21;829:18,
20;830:15;832:10;
836:18,20;837:20,22;
838:3,7,8,11,19,25;
839:4,18,19,23;840:6,
19,22;841:22,23;
842:5;846:17,18,20;
847:6,14,19;848:2,5,
11,15,17,24;849:5,8;
853:16,21,24;854:2,
13,14;855:19,20,25;
856:6,9,13,16,20,22;
857:1,5,8,14,17,23;
858:10,13,17,19;
860:14,19;861:1,3,4,
8,13,17;862:5,6;
863:8,10,16,23,25;
864:9,20;865:3,5,6;
866:10,11,15,22,24;
867:17,25;868:2,5,7;
869:4,6,10,13,17,19,
21,22;870:1,3;
871:11;872:2,4,18,22;

873:1,3,10;877:12,14,
22,25;878:5,7,9;
879:5;880:2;881:19;
882:6,9;883:22,23,24;
884:5;886:8,9;887:4,
6;888:21,22,24;
889:13,14,16;890:23;
891:10,16,17,24,25;
893:17;894:4,5;
898:11,17,21;899:6,
10,12;901:12,14;
902:13,15;903:9,14,
16,20,21,22,24;905:8,
10;906:19,21;909:12,
13,14,19,22;910:2,5,
15,18,19,24

Juice (1)
724:12

July (61)
713:21;714:2;
721:5;723:13,14;
724:10;725:17;733:5,
10,12,21;737:8;
750:19;751:24;752:4,
16;756:16;758:5,5,10,
19,25;761:14;764:2,
20;769:8;770:12;
771:18,25;773:14;
781:7,8;789:16,18,25;
790:5;791:6,12,16;
794:10;795:23,25,25;
797:24;799:3;801:2;
807:7;810:14,19,25;
811:6;815:3;818:3,5,
6,14,17;874:1,4;
889:3;899:8

jump (1)
892:1

jumped (2)
901:6,6

June (19)
735:9;758:18;
759:16;769:7;785:5,
24;787:9;791:21;
793:20;821:24,24;
850:3;859:12,12;
867:15;872:10,12;
874:1;899:8

justified (1)
806:14

K

Katherine (4)
783:5;785:2,9;
876:7

Kathrine (2)
785:4,12

Katie (2)
881:1;883:5

keep (18)
701:2,12;715:11,
15,21;716:3,5,10;

717:18;721:9;733:15;
736:9;749:5;764:24;
786:24;789:2;864:21;
865:20

keeping (7)
734:7,8;762:8,9,9;
765:24;791:15

Kelleigh (5)
884:10,13,14,14,15

K-E-L-L-E-I-G-H (1)
884:15

Kelly (1)
783:5

Kenmore (2)
779:8;811:12

kept (2)
718:24;766:3

Kevin (5)
828:7;829:2,13,14;
876:9

key (2)
719:24;757:18

kick (1)
717:7

Kiki's (1)
704:11

kind (20)
704:21;710:21;
736:21;782:6,7;
792:19;793:15;795:4;
813:1;821:2;823:8;
832:1;841:19;857:24;
862:16;863:18;864:9;
876:12,13;909:23

kinds (1)
789:10

Kitchen (2)
883:6;904:22

kne (1)
799:24

knew (11)
719:23;754:14;
756:9,15;761:8;
786:2;799:15;800:10;
810:10;818:15;
865:12

knowing (1)
754:11

knowledge (15)
710:24;711:19;
713:17;721:2;733:4;
770:11;791:5,7,10;
804:2;817:3,13;
830:8;879:2;891:14

knows (2)
700:2;738:20

L

label (1)
901:10

labeled (4)
796:23;868:19;

903:11,12

LABOR (7)
692:2,14;749:16;
751:21;788:13,15;
839:7

Labour (1)
839:13

lack (1)
790:18

lacking (1)
787:19

laid (1)
847:23

Lancaster (1)
822:4

language (1)
702:12

large (2)
764:21,21

last (26)
703:23,25;720:11;
721:24,25;752:23;
757:7;758:18;765:14;
777:1,2;780:9;
805:16;806:13;817:7;
826:1;830:25;837:25;
856:4;858:9,11;
865:9;875:13;884:9;
895:6;898:5

late (5)
787:23;872:11,14;
908:5;909:2

later (13)
710:22;727:20;
730:15;751:5;753:6;
764:11;771:3;780:1;
783:1;786:18;858:25;
872:19;909:3

Law (3)
692:13;778:22,25

lawn (1)
812:18

lawyer (1)
738:21

laying (1)
782:24

lead (1)
783:1

leader (1)
899:2

leaders (4)
708:22,25;710:8;
898:24

Leading (2)
717:22;820:16

leads (2)
700:10;849:7

leaflet (1)
907:9

leafleted (2)
907:13,16

leafleting (3)
907:15,19;908:5

learn (2)
735:3;739:4

learned (1)
739:4

learning (1)
739:6

least (6)
700:22;711:17;
738:13;751:16;840:8;
849:17

leave (38)
722:8;727:15,22,
23;741:11;744:18;
749:13;750:7,8,22,25;
758:14,17;759:19;
761:13;770:6;771:6;
830:23,25;834:4,5,6;
870:21;871:4,9;
872:7;873:17,19,20,
22,25;874:3;875:10,
11,21;877:10;889:7;
895:21

leaving (6)
759:7,16;764:11;
793:4;812:10;833:7

led (4)
771:18,24;807:2;
847:9

left (19)
697:14,24;699:25;
700:3;705:19;722:9,
11;761:15;774:14,16,
20;791:8;833:6;
859:4,21;861:19,23;
867:20;877:10

legal (1)
870:13

length (2)
825:7;863:17

lenses (1)
720:20

less (3)
716:9;862:4,12

Let's (19)
703:12;732:24,24;
747:5;748:10;821:25;
831:16;832:25;
845:24;848:6;862:15;
864:18,18,19;868:5,6;
875:4,4;887:21

letter (32)
701:25;702:1;
707:25;708:2,3,9,23;
709:4,6;741:8,16,20;
742:1,9;743:15,20,20;
744:5;747:12;796:23;
804:11,13;805:24;
806:1,5,7;809:6;
828:7;829:2,14;
831:23;876:8

letters (1)
741:6

letting (1)

756:14

level (4)
700:13,15,20;
865:19

Lewis (1)
718:5

lid (1)
762:9

lie (2)
749:7,11

lied (1)
749:10

Lift (1)
778:22

light (1)
816:3

liked (2)
895:6;896:25

likely (3)
745:5;772:11;
824:16

likes (1)
759:14

limitations (2)
862:25;863:1

Limited (3)
740:8;814:23;858:2

line (1)
868:13

lines (3)
728:18;763:6;
908:13

lingo (1)
729:11

list (1)
832:1

listed (1)
841:9

Listen (3)
820:3;835:24;
904:14

listened (5)
847:17,21;854:9;
860:7;885:10

listening (6)
836:17;845:11;
852:21;879:21;886:4;
904:8

little (14)
704:20;754:20;
797:22;801:19;802:3;
808:19,23;823:8;
834:13;844:10;860:9;
867:21;900:12;901:6

living (1)
737:3

lobbies (1)
720:9

lobby (70)
715:9,10;716:8,12,
17;717:9,18,19,21,24;
718:2,8,11,12,15,17,
21,24;719:10,15,18,

21,23;721:6,7,14;
724:25;730:20;731:6,
20;732:7,10,19;
749:24;750:2,3,4,14,
17;751:7,17,23;754:4,
7,8,10;755:23;
756:20;757:14,21;
758:2;764:2;769:8,9,
20;770:8;771:8,18,23,
25;773:14;775:1;
787:21;789:9;812:17;
820:4,14;878:6;
891:14,21
local (1)
780:23
located (3)
720:21;827:11,12
location (33)
706:5;707:14;
714:8,9;719:12;
720:17;731:1;735:11;
737:15;766:2,10;
779:8,9;781:15;
783:17;785:21;786:1;
810:16,19;811:11,12;
820:25;821:2;822:23;
823:2,4;832:13;
880:20;887:12;890:3;
891:2;892:8;893:24
locations (8)
706:2;818:13,19;
832:23;833:12;841:1;
893:3;907:10
lockdown (1)
716:20
locked (1)
717:3
locket (1)
824:19
log (6)
698:25;699:2,3,6,
15;831:9
long (14)
711:12;726:18;
787:20;825:7,13;
830:25;859:6;862:2;
864:20;867:12,23;
873:19;909:19;
910:17
longer (6)
765:15;809:7,10;
899:21;900:16;
909:20
look (25)
698:25;700:23;
701:8;704:14;705:2;
720:19;738:24;778:3;
794:20;808:25;
815:13;825:2;829:8;
836:9;856:10;873:4;
876:21;879:9;883:7;
885:17;887:19;
889:21;890:1;892:4;

905:23
looked (3)
701:15;720:20;
728:24
looking (16)
701:5,13;702:16;
713:16;729:14;
742:18;743:11;755:9;
797:3;805:3;806:3;
824:23;890:4,17;
896:9;906:25
looks (2)
728:7;784:12
loop (1)
701:13
lose (2)
758:24;759:7
loss (1)
876:10
lost (1)
842:14
lot (12)
732:17;778:4;
787:18;789:4;793:14;
794:24;802:4;820:25;
847:7;867:19,21;
904:17
love (1)
733:15
loved (1)
759:19
lunch (7)
764:10;808:24,25;
809:1;825:7,21;895:4
lying (1)
744:6

M

Mabel (1)
783:7
maiden (1)
853:18
mainly (2)
707:10;790:25
maintain (1)
822:6
maintained (2)
746:23;894:2
majority (2)
830:24;884:16
maker (1)
745:25
makes (1)
700:21
making (9)
736:10,22;739:7;
745:7;746:4;764:24;
788:22;790:19;
807:21
Mallory (1)
783:4
manage (1)

774:25
management (7)
756:10;793:22;
810:7;822:15;871:5;
877:2;909:9
manager (73)
718:3,22,23;719:1;
720:10;721:20;722:4,
5,12;723:7,17;724:4;
726:5;727:12;734:17;
738:19;739:6;751:23;
752:21;753:13,18;
755:25;787:2,4;
792:4,6,7,16;793:14;
794:1;797:11,12;
798:20,24;802:6;
813:20,23;814:7;
816:2;827:16,24;
828:1;832:23;833:1;
834:14;842:2;849:15,
19,20;858:25;874:9,
10,11,12;875:9,15,16,
17,19;877:9,21;
884:16;894:18,21;
896:15;899:5;902:6,
6;906:12,13,15;
907:17;909:1
manager's (2)
751:18;877:8
managers (14)
718:5;732:18;
752:24,25;755:22;
771:24;792:20;
823:11;832:23;875:1,
2;884:17;894:12,14
Mane (2)
849:15;852:13
Mann (4)
854:19,23;855:13,
17
Mano (1)
883:5
many (17)
706:11,20;708:7;
711:15;718:14;
733:18;770:12,17,22;
776:5;779:16;787:21;
788:25;789:1;818:5;
858:4;896:1
Maple (1)
832:15
maps (2)
786:3,8
March (12)
708:14;718:16;
719:5,7,10;752:7,21;
756:5;781:18;792:8;
842:17;866:25
mark (7)
786:22;801:15,18,
22;802:1;816:20;
817:14
marked (23)

699:12;722:23;
725:25;742:15;784:2;
801:17;804:25;805:8;
817:16,19;828:15;
836:7,25;837:1;
844:22;852:8;869:4;
876:20;879:7;883:7;
885:16;887:17;
905:22
market (9)
708:4;831:14;
832:18;841:10;890:9;
898:2,3;899:24;
900:18
marking (1)
817:22
markings (1)
699:1
markouts (3)
802:4,9;817:6
match (1)
847:22
Matter (5)
692:4,12;867:5;
901:16;911:2
matters (1)
698:5
may (33)
699:8;715:14;
719:17;770:2;782:9,
15,18;796:23;798:4;
812:12;821:22;827:9;
834:18;839:1;843:19;
846:24;847:15,18,18,
19;848:3;849:20;
850:2,3;855:24;
856:7,9,12,13,16;
857:10;858:12;
859:12
Maybe (21)
700:21;701:2,2,10;
709:5;720:11;736:15;
737:11;770:25;787:8;
794:10;803:11;
818:12,21;821:6;
822:2;831:19;832:16;
859:8;872:18;890:10
McCuen (1)
781:25
mean (21)
699:9;729:15,23;
730:5;746:20;770:1;
788:3,4;792:18;
806:18;807:24,25;
813:1;819:21;820:24;
825:3;864:1;876:18;
889:21;890:7;894:7
means (5)
700:15;729:11;
819:23;840:20;
864:20
meant (8)
718:7;735:6;739:8;

756:19;788:15;808:3;
820:8;876:3
mechanism (1)
862:12
medical (3)
830:23;834:6;
870:16
meet (4)
791:1,2;792:16;
848:13
meeting (13)
732:19,19;735:7;
737:6,6,8,12,14;
792:15,22;838:23,25;
848:3
meetings (6)
710:9,10,12;735:6;
828:9;883:3
M-E-G-A- (1)
703:24
Megan (43)
703:6,10,24;704:4;
705:7,11;711:8;
712:21;714:12;
716:18;717:20;
720:17;723:3;725:21;
726:2;727:11;728:5;
730:14;733:3,5;
734:1;735:21;737:24;
738:7;741:25;742:18;
745:6;760:24,25;
761:2;767:14;768:8,
14;769:6,19;770:5;
773:13;775:15;
785:18;786:16;793:7,
7;795:22
Megan's (1)
746:12
Melissa (8)
874:12;878:12,25;
879:15;880:8,11;
881:15,22
member (2)
801:24;909:8
members (1)
793:22
Memorial (8)
855:2,4,21;856:4,6,
12;857:3;858:14
memory's (1)
752:15
mental (1)
767:23
mention (1)
709:5
mentioned (29)
697:17;709:10;
711:9;715:14;722:14;
728:11,13;730:18,21;
732:9;736:20;737:5;
739:15;740:22;741:4;
757:22;759:18;
767:14;769:6;771:3;

795:22;800:12,15,18;
832:20;881:10;887:8;
895:17;905:15

mentioning (3)
742:24;790:11;
854:22

mentions (2)
907:4;908:7

merchandise (1)
708:20

Merley (3)
896:16,18,20

message (14)
724:4;725:6;
726:19;727:10;
728:19,25;730:12,15,
16;755:7;833:6;
865:8;908:20,24

messaged (1)
741:7

messages (11)
722:17;723:6,7,10,
13;724:16,19;725:11;
727:11;728:5;731:4

met (3)
781:13;782:2,13

methods (2)
729:16;730:3

MG (1)
884:22

Michelle (1)
897:16

mid (4)
707:3;779:22;
872:11,13

middle (5)
713:21;724:24;
828:16,22;906:25

mid-January (1)
705:19

mids (1)
706:18

mid-shift (1)
711:22

might (17)
701:5;704:16;
710:16;720:6;738:21;
747:18;772:6,7,12;
778:4;780:5;876:12,
14;893:4;896:2,10;
906:13

mile (1)
822:2

milks (2)
734:8;762:9

mind (2)
709:2;821:9

Mine (3)
903:14,24;904:21

minimal (4)
812:18,23,24;813:1

minimally (1)
812:21

minimum (1)
786:2

minor (1)
794:16

minute (6)
727:6;817:25;
862:4;863:17,21;
867:20

minutes (7)
744:23;812:17,19;
837:25;868:4;908:4;
909:21

missing (2)
812:9;821:7

missions (1)
737:3

mistaken (2)
699:23;872:18

mistakes (2)
736:22;739:5

misunderstood (2)
754:16;816:1

MK (6)
833:4,5,7,13,18;
849:19

Mm-hmm (9)
724:5;728:6;757:6;
758:20;766:18;
774:12;808:16;
824:22;873:1

mng1489@gmailcom (1)
743:10

mobile (15)
721:17;726:10;
728:16;729:17;730:7;
755:14,14,22;764:13;
772:8,13,20;773:4;
786:8;789:6

mobiles (5)
721:20;728:12;
729:15,15;755:11

Model (6)
783:4;785:2,4,9,11;
889:22

modification (1)
839:15

modifications (1)
785:8

modified (4)
811:8,10,13,14

modify (1)
790:2

moment (11)
704:12;718:9;
728:9;748:21;765:8;
769:12,13;775:9;
778:2;784:20;826:21

Monday (14)
701:11,18;706:25;
779:20;854:24;
855:22;856:11,12,17,
18,25;857:11,15;
858:8

money (1)
801:24

month (8)
705:20,22;706:20;
733:5;834:8;870:24;
873:14,15

months (7)
761:11;818:5;
831:1;834:23;875:1;
897:2;898:6

more (40)
698:6;700:22;
701:5;702:23,23,24;
704:17;711:18;717:4;
720:6;721:11,21;
723:12;724:10;
745:20;761:8;764:5,
14;765:23;766:3;
773:9,10;774:16,20;
791:13;799:16;
803:19;812:24,25;
813:6;832:16;859:5;
865:3;867:19,22;
882:13,14;890:5;
896:2,11

morning (19)
701:7;703:19;
705:7,8;719:18;
721:19;749:1,2;
770:19,21;771:6;
810:2,3;847:11;
881:7;907:13;909:16,
17;910:22

mornings (2)
733:16,17

most (7)
701:17;736:6;
745:5;772:11;824:16;
832:15;858:9

mostly (2)
711:21;883:2

motion (1)
862:9

motivation (1)
877:25

mourning (1)
876:10

move (26)
709:24;713:4;
714:25;715:17;
723:22;726:15;729:1;
739:17;741:17;
743:23;744:6;758:16;
784:18;798:1;799:25;
806:10;829:16;
854:12;882:6;883:21;
888:21;898:10;
902:10;906:19;
907:18;909:11

moved (3)
822:16,22;877:11

moves (1)
825:25

moving (2)
802:5;893:15

much (10)
697:14;714:13;
721:18;745:2;776:10;
786:23;823:21;
875:24;901:17;
909:22

muddled (1)
773:22

multiple (12)
718:2;720:9;
766:13;810:5;813:4;
814:8;833:13;840:15;
841:14,15;893:4;
896:5

myself (22)
751:23;780:19;
783:7;789:1;790:23,
25;793:14;820:2;
834:22;835:7;837:19;
844:10,12;845:23;
851:15;852:13;
878:12;879:15;
885:24;886:14;
887:23;892:6

N

name (42)
703:22,24,25;
718:5;719:3,17;
721:24,25;743:2,4;
750:3,6;752:23,23;
757:5,7;760:24;
765:13,14;777:1,2;
780:9;802:11;805:16,
17;826:1;829:4,7;
831:8,20;843:7;
853:18,20;875:13;
876:8;877:8;883:4;
884:10,14;886:20,21;
890:21

named (3)
711:9;738:7;803:5

narrow (1)
894:9

NATIONAL (8)
692:2,14;749:16;
751:21;839:7,13;
844:19;870:24

Naval (1)
781:25

necessarily (1)
746:14

necessary (3)
727:3;838:3;890:15

need (22)
699:1,3,3;701:10,
11;727:20;731:25;
732:16,20;743:8;
746:8;751:4;765:3;
819:25;825:8,13;

862:1;865:21;871:17,
18;890:12;909:3

needed (13)
701:18;717:9;
718:6;728:12;731:8,
14,15;756:24,24;
762:11;773:5;833:15;
889:6

needing (1)
731:9

needs (2)
760:13;773:23

negative (1)
876:15

Neither (1)
765:5

New (21)
692:15;706:5;
734:1;737:21,25;
792:9,17,17;794:1;
821:6;822:22;823:4,
10;861:2;884:21;
898:4,6,19,20;899:8;
906:12

news (1)
780:23

next (17)
697:18;700:10;
721:6;731:11;776:17,
22;797:21,21;799:5,
6;825:22;832:4;
842:14;849:25;850:1;
860:5;877:8

Nice (5)
703:18;825:21;
864:7,10;899:3

night (6)
729:14;755:10;
790:9;791:8;803:23;
865:9

nine (6)
846:2;886:16;
908:25;909:16,25;
910:3

NLRB (9)
778:17;835:20;
851:17,25;860:4,5;
868:24;885:8;888:19

Nobody (3)
759:14;803:24;
821:16

non- (1)
741:17

None (1)
733:25

non-retail (1)
831:12

nor (2)
765:5;838:19

normally (3)
720:3;751:3;771:6

North (7)
706:5;707:12;

714:10;719:13;
757:10;779:9;841:10
notations (1)
890:5
note (7)
699:8;702:9;
716:12;747:21;
761:12;853:17;
903:10
Noted (5)
697:2;803:16;
861:11;866:15;894:5
notes (3)
715:20;772:13;
858:14
notice (18)
692:13;712:9,24;
714:12;733:13;
758:22;795:17;796:2;
799:16;802:22,24;
807:9;815:7,16,25;
906:3;909:7,8
noticed (1)
853:23
notified (4)
758:13;759:15,18;
761:20
notifying (1)
755:25
November (3)
779:4,4;810:22
NRLB (1)
809:19
number (9)
698:8;699:22;
726:10;855:12;
859:15,16;860:9;
864:20;868:12

O

o'clock (13)
714:7;721:11,23;
722:9,10;730:2;
773:2;791:8;809:10;
908:25;909:16,25;
910:3
object (10)
726:17,18;744:1;
746:9;839:5;846:19;
847:6;866:12;872:22;
890:23
objected (1)
861:11
Objection (86)
709:20;713:1;
714:15,25;715:16,17;
717:22;725:12;
728:17,22;729:1;
732:13;733:7;734:15;
735:17,23;738:15;
739:17;740:24;741:2,
17,22;745:20;749:9;

754:5,17;757:1;
759:1,1,10;760:24;
765:18;767:18;
768:10,18;769:18,24;
771:10,15,19;772:1;
773:15;775:5,20;
782:4,23;784:19;
785:14;786:13;788:5;
798:3;799:25;803:14,
16;815:8;820:10,15,
23;821:19;822:10,17,
24;823:12;824:11;
829:18;830:14;832:8;
838:8;839:18;840:14;
846:18;855:19;861:5;
877:12,13;878:4;
882:8;883:23,24;
887:5;889:14;894:4;
898:10;902:11;905:9;
906:20
obligated (1)
702:2
obligation (3)
700:5,8;755:20
observation (1)
794:3
observe (1)
807:1
observed (1)
810:25
obtain (2)
810:7;816:8
obtained (1)
819:16
obtaining (4)
751:17;753:8;
755:1;756:10
obvious (1)
890:3
obviously (6)
698:6;702:24;
824:11;869:14;894:7;
898:18
occasion (3)
751:17;774:15;
896:12
occasional (1)
711:22
occasions (4)
761:21;774:17,21;
895:15
occur (4)
827:22;848:12;
849:24;871:18
occurred (5)
752:16;842:16;
847:15;848:1,10
occurrence (1)
908:8
occurring (2)
756:4;757:15
October (6)
720:11;780:17;

804:6;827:23;906:16;
909:8
off (39)
703:10;706:13;
711:4;721:17,20;
724:9;728:12;748:14;
755:22;764:13;
772:25;773:4;776:25;
779:8;789:3,6;790:9;
793:12;801:7;812:18;
813:16;824:1;825:10;
843:16;862:18;868:6,
6;875:25;882:22;
895:10,12;897:8;
898:9,15;900:10;
901:4;908:2;909:6;
910:20
offense (1)
863:4
offer (8)
846:16;864:16;
866:10;872:2;887:4;
889:13;891:15;905:8
offered (2)
747:20;838:22
offering (3)
725:16;838:4,5
offhand (1)
702:13
officially (2)
722:5;841:3
offs (1)
772:25
often (1)
842:23
oftentimes (1)
699:8
oil (1)
839:8
old (2)
781:12;861:1
once (9)
700:22;703:13;
741:2;745:22;801:18;
809:3;842:23;848:24;
882:3
one (110)
698:12;699:5,11,
11,22;702:17,17,18;
704:12,17,17;712:17;
714:1,14,23;715:19;
716:6;717:10;718:2,
16;719:18,19;720:6,
22,23,24,25,25;727:6;
729:16;730:19;735:1,
5;744:14;747:15;
748:21;749:24;750:3,
4,9;751:8,16;752:24;
754:3;756:4;764:24,
25;765:2,8;769:11;
771:11;772:24;773:2,
21;774:15;775:9,11;
776:5;781:20;782:6,

13;784:20;786:2;
789:9;790:17;791:13;
794:2;795:2;801:11;
803:19;806:22;
808:17,18,19,20,21;
809:4;812:24,25;
817:25;819:23,25;
820:2;821:25;824:1,
8,9,16;828:19;832:3;
836:18;840:16;841:2;
850:1;864:2;865:3,
16;872:21;877:15,23;
884:17;891:19;896:2,
11;898:24;900:8;
903:25;904:17;
910:10,10
onerous (1)
701:10
ones (2)
724:19;872:25
online (1)
833:21
only (26)
713:3;715:13;
716:6,6,24;717:3,11;
718:8,25;725:16;
737:2;755:22;762:20;
764:6,23;766:9;
770:23;773:4;789:9;
801:23;820:6;840:16;
877:23;891:13;896:2,
7
onto (3)
717:7;850:25;860:1
OP (1)
880:16
open (26)
716:8,23;718:19,
21;720:3;727:18;
766:3;772:16,17,19;
774:15,16,20;786:4,9;
790:8;791:7,15;
793:4;803:22;811:6,
15;812:10;815:22;
822:6;866:19
opened (5)
714:5;720:2;786:3;
799:5;907:11
opener (3)
706:17;719:19;
799:8
openers (2)
718:18;815:15
opening (3)
707:3;721:10;
770:14
openings (1)
831:21
opens (1)
706:18
operation (1)
811:8
operational (1)

760:13
operations (2)
760:17;789:13
opinion (1)
745:7
opportunities (1)
787:18
opportunity (5)
707:7;727:2;
813:12;831:24;862:9
opposed (1)
744:22
optimistic (1)
841:13
Orchard (1)
880:18
order (12)
698:22;717:6;
729:21;732:4;764:25;
772:8,14;786:8;
789:7;819:24;861:6,9
ordering (5)
721:17;729:18;
764:13;772:20;789:3
orders (8)
729:17;730:7;
755:22;764:21,25;
789:7;850:10;853:2
Organization (1)
848:12
organizing (2)
828:8;829:3
original (8)
705:16;707:11;
708:23;828:7;829:2;
889:22;890:12,25
originally (1)
705:19
ours (1)
802:2
ourselves (2)
820:5;860:23
out (44)
699:12;717:7,7;
721:7;745:2;750:7,8;
752:24;756:11;
788:21;801:17,18,22;
806:24;815:10,14,21;
817:15,16,19,22;
819:23;828:8;834:21;
835:19;841:2;848:4;
850:11;851:15;857:9;
860:9;862:13;864:11;
865:16;873:21;
874:21;876:1;882:23;
900:10,11;901:5;
905:21;908:2;909:6
outs (4)
801:15;802:1;
816:20;817:14
outside (7)
744:25;794:4;
812:19;841:3;896:5;

898:2;907:13
outspoken (5)
760:23;761:2;
763:23;768:19,22
over (28)
699:13;701:8;
702:14;706:21;
713:16;714:12;
721:21;751:13;
753:18;775:15;
776:12;791:11,11;
794:16;795:19;803:2,
22;808:1;813:4;
850:15;853:19;859:5;
867:9;875:1;893:4;
899:8;903:13;910:16
overall (1)
803:25
overlap (1)
751:2
Overruled (3)
775:21;800:2;
815:11
overseeing (2)
833:13;874:11
own (2)
736:18;886:21

P

package (1)
745:18
packet (2)
801:19;842:13
packets (1)
897:21
pad (1)
864:19
page (7)
698:8;829:7,8;
902:7;906:5,25;
910:11
pages (9)
748:9;808:20,21,
22;824:24;910:11,12,
13,14
pain (1)
765:1
paperwork (2)
712:7;841:3
Paragraph (10)
704:9,23;749:19;
751:22;774:24;
826:15,16;906:24,25;
908:7
paragraphs (5)
702:14;704:8;
777:11;778:3;826:12
paralegal (1)
778:25
Park (1)
880:18
part (17)

724:8,24;737:11;
745:17;746:20;747:2;
774:16;821:5;830:22;
834:8;843:3;844:9;
858:9;860:21;872:11;
881:16;898:15
participate (4)
781:4;799:22;
800:9;830:4
participated (2)
781:7;830:6
particular (16)
699:11;700:20;
760:8;774:15;786:14;
810:18;812:1;813:4,
25;814:5,9,20;
817:15;835:14;
838:23;851:2
particularly (1)
835:3
parties (2)
859:23;887:16
partner (29)
716:21;731:10,23,
24;732:14;734:10;
735:16;760:16;
762:24;763:3;765:12;
766:9,13;774:19;
790:16;792:25;
793:12,14;811:24;
813:14,23;814:8,12,
20;816:16;865:10;
876:3;890:18;898:7
partners (14)
718:7,11;737:13;
762:2,15;763:8;
783:17;800:9,19;
821:18;822:3;842:13;
877:19;898:1
partnership (1)
818:20
parts (2)
795:3;855:16
Party (1)
692:9
passed (1)
771:13
passing (1)
717:18
past (6)
787:21;793:9;
810:18;813:8,22;
814:5
patience (1)
747:25
patio (3)
717:7;732:19;
812:20
paused (25)
837:5,10,15;
845:18,25;846:5,9,15;
852:24;853:7,10,15;
854:3;870:7;880:4,

14,22;881:5,13,20;
886:11,17,23;904:23;
905:4
pausedBY (1)
846:12
pay (1)
863:19
paying (1)
725:10
Peat (1)
724:11
peek (1)
715:20
peer-peer (1)
804:1
pen (1)
843:16
pens (2)
828:10,13
people (58)
707:24,25;708:7,8,
20,23;709:2,10;
716:8;718:23;719:1;
721:19;727:8;730:2;
732:17,18;736:22,25;
738:5;741:5,6;
754:15;762:1;764:5,
6,12,24;767:14,21,23;
770:18,20,22;771:6;
773:1;774:25;781:2,
24;787:23,23;788:16;
789:7;790:9;792:20;
794:16;795:3;799:17;
801:10;807:11;
819:23;822:1,22;
830:12;876:12,13;
897:11,23;898:14
per (3)
760:7;764:25;
766:20
perception (1)
745:14
Perfect (6)
704:1;712:18;
748:10;797:1;826:5;
856:20
performance (2)
738:19;745:23
period (3)
787:8;875:1;906:14
periods (1)
813:4
permission (6)
724:25;756:21,24;
765:5;772:8;819:16
permit (4)
768:23;783:2;
803:17;823:7
permitted (1)
803:16
person (21)
713:15;719:20;
725:7,7;738:22;

756:16;759:12;764:8,
24,25;775:15,18;
787:23;789:10;799:6;
813:24;819:23;820:2;
830:7;833:13;899:4
personal (8)
859:11;868:11,13;
870:15;875:10,11;
877:10;885:3
personalize (1)
831:25
personally (1)
709:22
perspective (2)
698:20;700:22
petition (1)
700:11
phone (62)
723:20,21;724:22;
725:22;726:8,9,10,13;
743:4;833:5;835:11,
12,17;838:16,17,17;
843:25;844:1,6;
850:6,12,16,21,22,25;
851:1,5;853:11;
855:6;859:4,9,11,13,
15,16,18;860:2;868:9,
11,12,14,19;872:16;
878:16,17,19;885:1,2,
3,4;888:5,6,9;890:13;
891:1,23;892:13,14;
894:2;902:23,24;
903:1
phones (1)
859:20
Phonetic (7)
783:4,5,7,8;853:19;
881:1;883:5
photo (5)
890:2,14;891:1,21;
892:6
photograph (1)
884:1
photos (4)
889:4,6;890:13;
893:5
physical (1)
755:24
physically (1)
830:21
Piccola (2)
881:1;883:5
pick (6)
724:13;786:9;
787:8;896:8;899:22;
900:17
picked (7)
786:16,18;896:2,
12,17;897:5;900:14
picking (2)
899:15,20
picture (23)
713:14;861:22;

887:23;888:2,4,7,12,
17,19,22;889:19;
890:4,19;891:3,6,12;
892:10,12,17,20,24;
893:23;894:1
piece (3)
806:23;857:24;
894:6
pin (62)
768:11,17;769:1;
842:18,20,24;843:1,
10,12,13;849:3;
870:25;871:2,4;
874:16,20,24;875:19,
25;876:6,12,14,18;
882:18,23;887:9,11;
888:11,15;889:1;
892:19,22;893:3;
894:15,19;895:10,12;
896:13,18,21,25;
897:8,10,12,15,18,21;
898:1,5,7,9,15,22;
899:21;900:10,23;
901:5;905:15,19,21;
908:2;909:6
pinning (1)
909:23
pins (7)
708:19;709:10,11,
13;781:2;842:13;
870:15
Pixel (11)
835:13;844:2;
847:13;850:23;
859:11,14;878:18;
885:3;888:10;892:16;
902:25
place (32)
718:16;735:9;
737:14,15;775:19;
782:19;785:19;
787:11;794:7;818:5;
832:14;835:1;838:23,
25;840:17;853:1;
859:18;868:14;
881:16;887:12,24;
889:2,20;890:6,16;
892:7;893:13,24;
894:12,17;895:9;
903:13
places (1)
853:23
plan (1)
789:24
play (5)
836:25;852:22;
869:4;879:22,25
played (8)
837:4;838:2;
845:15;862:2;865:7;
869:1;871:15,17
playing (7)
860:12;870:5;

880:3,21;881:4;
886:10;904:18
playing/Audio (1)
864:22
please (14)
703:2,23;704:1;
747:25;776:11,25;
777:4;823:21;836:9;
869:13;883:7;887:19;
905:23;910:20
pm (11)
717:13;730:1;
779:22;808:24;
825:10,14,16,19,21;
836:19;911:1
pm/ (1)
825:19
pm/Reconvened (1)
836:19
pocket (2)
701:8;844:8
point (44)
700:10;701:15;
702:19;706:18;
726:24;729:25;
732:21;745:22;
747:16,20;750:16;
753:20,21,24;758:12,
21;759:15;763:24;
764:15;771:4;772:5;
774:1;786:5;790:7,
17;806:24;810:24;
813:22;814:11,17;
815:23;818:18;820:1;
838:24;841:2;847:23;
848:3,3;853:3;
861:24;887:13;893:1;
895:2;907:21
policies (4)
762:12;763:9;
792:3,9
policy (18)
704:14;734:2;
735:25;737:19;
754:12;761:23;
765:20;775:19,22;
792:17;794:21;839:8;
840:4;849:4,6;
870:15;899:1;907:4
portal (1)
831:7
portion (1)
851:22
portions (1)
855:8
position (11)
706:6,22;711:19;
734:12,16;738:10;
779:10;831:25;832:2;
861:13,17
positions (2)
781:19;831:13
positive (1)

841:19
possible (2)
814:18;889:5
possibly (2)
713:2;736:10
posted (1)
849:16
postings (1)
831:11
potentially (4)
720:25;809:7;
821:8;841:5
pound (1)
801:19
pounds (2)
799:19,20
power (1)
794:25
practice (1)
810:18
practiced (1)
814:21
practices (1)
781:10
pre (1)
725:25
precise (1)
846:25
precisely (1)
849:25
prefer (1)
869:15
preference (1)
869:17
prejudicial (1)
891:7
premise (1)
727:14
preparation (2)
763:16,17
prerogative (1)
848:20
present (10)
766:23;767:1;
787:13;799:7;831:11;
835:5;874:13;878:11;
894:12,14
presented (3)
747:17;774:13;
861:9
pressure (1)
724:12
pretty (4)
721:17;794:20;
820:17;889:21
previous (4)
713:4;715:17;
756:3;854:21
previously (14)
704:5;722:14;
728:11;730:14,18,21;
752:2;777:8;778:17;
798:12;806:16;826:8;

842:8;881:10
principles (1)
829:12
Pringle (1)
875:14
print (3)
716:21;805:24;
884:1
printed (1)
717:1
printout (2)
888:1;892:10
prior (44)
708:15;718:14;
733:20;735:13;
736:24;750:12;
751:16,18;752:3,22;
753:8,22,25;755:1,5;
756:10;758:1;761:25;
764:13;765:5;767:6,
15;768:5;771:7,9;
790:15;793:19;
795:19;796:2;802:21,
24;810:7,16;811:15,
16;813:8;814:5;
875:15;876:5;889:10;
893:9,11;897:2;
908:20
privately (1)
801:8
privilege (6)
698:25;699:1,2,3,6,
14
privileged (2)
699:10,13
privy (1)
736:16
pro (1)
840:8
probably (31)
698:7;701:17;
707:19;709:7;714:6;
717:13;718:3,16,23;
720:11;722:9,13;
724:10,11,12;730:1;
732:20;752:7;757:8;
758:18;770:19,19,23;
771:5;772:10,15,25;
861:23;883:25;884:3;
890:18
problem (3)
793:15;863:12;
864:8
problems (1)
813:24
proceeding (1)
744:3
process (7)
699:3;740:21;
746:21;747:4;757:2;
833:13;870:22
produce (4)
699:6;700:5,6,9

produced (7)
699:24,24,25;
700:23;764:14,15;
847:11
product (2)
724:13;731:3
production (12)
697:6;698:4,5,15,
19;701:6;702:7,13;
716:6;729:17;730:3;
764:22
productions (2)
697:10,12
products (1)
724:11
professional (1)
700:7
profile (1)
831:23
progress (2)
698:22;790:20
projection (1)
840:5
promise (1)
904:17
promoted (3)
779:12,14;849:19
prompt (1)
884:3
pronounce (2)
721:25;757:8
pronouns (3)
705:11;778:15;
827:4
proof (1)
893:4
proper (1)
847:23
properly (5)
763:5;766:8;
817:19;864:14;
890:24
property (1)
907:17
propose (1)
856:3
prospecting (1)
832:24
prove (1)
838:22
proves (1)
701:10
provide (19)
702:3;703:3;
704:20;727:1;802:22,
22,24;815:7,18;
816:7;835:20;868:21,
24;871:13;883:25;
885:8;890:15;891:1;
902:11
provided (16)
697:14,14,15;
699:19,22;700:2,2,3;

702:10;727:4;747:12;
751:21;755:7;816:7;
836:11;862:24
providing (3)
721:8;746:1;861:12
publicly (2)
708:16;780:14
published (1)
829:2
pull (1)
793:12
pulled (4)
762:21;801:7;
828:18;900:11
punctionality (1)
907:4
purchased (2)
842:13;889:24
purportedly (1)
762:6
purporting (1)
891:7
purports (1)
891:9
purpose (10)
828:18;836:7;
839:5;844:23;852:8;
876:20;879:8;883:8;
885:16;887:18
purposes (1)
887:17
pursuant (1)
692:12
pushback (2)
733:23;736:6
put (26)
733:13;746:13;
747:15;769:7,8,16,17,
21,23;770:5;793:11;
794:6;796:16;798:25;
799:1;806:23;825:5;
850:25;853:17;859:1;
862:19;869:16;
873:21;876:4,8;
897:23
putting (3)
793:5;858:1;864:18

Q

quality (1)
887:14
questionable (1)
771:13
quick (9)
701:24,24;702:1;
704:14;778:3;793:10;
798:4;821:25;884:9
quickest (1)
809:18
quickly (2)
716:12;786:10
quiet (1)

786:2
Quite (4)
700:1;777:12;
781:24;895:1
quote (1)
701:3

R

Rachel (24)
709:2;776:23;
777:7,11;778:11,15;
784:3;788:19;791:18;
793:8;794:22;797:3;
798:17,20;801:17;
802:11;803:5;805:4,
15;807:6,21;808:15;
819:15;820:21
R-A-C-H-E-L (1)
777:2
rag (2)
793:5;812:9
rags (2)
734:8;762:9
raise (3)
701:4;704:1;777:4
rare (2)
711:22;814:25
rarely (1)
803:23
rather (1)
821:24
reach (3)
783:10,12;865:16
reached (2)
784:16;834:21
reaction (3)
876:12,13,15
read (1)
831:16
readily (1)
891:19
ready (8)
705:2;748:21;
778:7;809:15,16,17;
815:24;825:25
real (1)
884:9
reality (1)
823:3
realizing (1)
849:2
really (15)
708:1;710:25;
737:22;739:8;741:20;
759:8;795:6;801:23;
825:1;858:8;876:16,
18;890:15;899:3;
909:14
reason (13)
698:7;700:8;718:1;
737:18;744:4,21;
751:1;760:6;765:17;

775:3;867:8;876:17;
897:3
reasonable (1)
856:14
reasons (4)
715:23;773:13;
789:8;810:12
rebuttal (3)
727:1,4,18
recall (37)
721:24;744:23;
750:22;751:22;752:9,
23;765:25;771:17;
829:8;832:5,12;
833:10;834:9,16,19;
835:5;837:12;844:6;
849:14;853:1;859:6;
867:5,12;873:24;
874:2;889:1;894:23;
896:1,2,23;897:13,14;
900:6;905:16;907:5;
908:8,17
receive (17)
702:4,23;733:23;
745:6,17;763:25;
783:22;784:24;785:3;
817:11;858:23;859:9;
867:3;868:9,12;
883:15;901:22
received (40)
697:9;713:2;
725:15;726:25;
730:15;767:6;785:9,
11;814:12;830:9;
855:23;859:7;866:8;
867:1,12;868:15,18;
871:21;877:6,17;
878:3,11;882:1,11;
883:19;884:7;887:7;
892:2;901:23,24,25;
902:1,2,17;905:12;
906:8,16,22;908:11,
23
receiving (2)
889:10;909:7
recess (5)
703:11;748:20;
776:20;825:19;
836:19
recognize (39)
712:11,21;722:19;
723:3;725:22;726:2;
742:4,11,18;743:12;
783:25;784:3;796:10,
13;797:3;804:19,23;
805:3;828:24;842:9;
844:23;845:16,21;
846:3;852:9,22;
860:7;862:25;872:24;
876:24;879:11;
883:10;885:10,20;
887:19,20;901:19;
904:15;905:25

recognized (2)
893:3;898:25
recollection (3)
766:9;798:17;
835:17
recommend (1)
870:20
recommendation (1)
745:24
reconvene (2)
748:11;808:24
Reconvened (2)
776:20;825:19
record (54)
697:4;701:20;
703:12,23;716:12,13;
741:23;746:22,24;
748:14;772:6;773:22;
776:14,21;803:16;
814:15;824:1;825:15;
828:17,18,19;832:17;
835:8,10,14;837:17;
843:21,24;844:3,4;
845:2;850:18,20;
853:25;861:22;
862:19;864:15;865:3;
866:18;868:6;871:12;
878:13,15,19;884:23,
25;885:4;891:22;
894:5;895:14;902:19,
21;903:1;910:20
recorded (4)
851:9;859:19;
864:14;866:13
recorder (5)
835:16;844:5;
851:4;878:21;885:5
recording (150)
835:18,20,22,24;
836:1,4,11,17,23;
837:4,5,7,9,10,14,15,
23,24;838:14,22;
839:16;844:13,17,19;
845:11,13,15,18,18,
25,25;846:5,5,9,9,12,
12,15,15,16,23;847:2,
11,16,17,21,22;
849:11,18;850:24;
851:3,5,10,12,16;
852:3,6,12,21,22,24,
24;853:1,7,7,10,10,
15,15;854:3,3,7,8,9,
21,23;855:4,6,9,16;
858:3;860:14;862:7,
23;863:2,7,17;864:1,
4,22,24;865:7,25;
870:5,7,11;871:10,16;
872:23;878:22,24;
879:3,14,21,22;880:3,
4,13,14,21,22;881:4,
5,13,13,20,20,22,25;
882:3;884:10;885:6,
8,10,12,23;886:4,6,

10,11,17,18,23,24;
887:1;897:19;903:3,
5;904:8,9,12,14,18,
23,24;905:4,4,5,11,11
recordings (1)
858:9
records (4)
746:20;853:19;
860:18;865:19
recovering (1)
858:3
Recross (2)
774:4,7
Redirect (8)
767:10,12;773:9;
774:9;775:6,13;
819:11,13
reduce (6)
733:5,10;760:6,12,
17;771:4
reduced (5)
758:9;759:23;
760:8;771:3,5
reducing (1)
733:24
Reece (14)
841:12;844:10,12;
846:14;848:13;859:1;
864:23;865:2,8;
870:6,10,12;872:7;
877:9
reference (9)
712:5;728:14;
746:1;799:23;820:13;
854:23;873:14;
876:18;884:10
referenced (2)
849:18;875:19
references (1)
876:16
referencing (1)
858:4
referred (2)
857:3;875:20
referring (14)
708:2;719:6;
730:12,13;771:9;
795:8,12;801:3;
808:10;854:25;856:1,
24;857:11;886:14
refers (2)
880:20;884:14
reflected (1)
798:9
refused (1)
874:21
Regal (1)
822:4
regarding (3)
697:5;799:12;
822:11
regardless (4)
698:14,14;795:1;

890:10
regards (2)
739:6;768:8
Region (1)
692:14
registers (2)
720:24,25
regular (1)
713:22
rehire (1)
770:1
reinventing (1)
737:22
reiterate (1)
745:22
reject (2)
727:19;825:5
rejected (4)
806:16;825:6;
864:2;867:10
related (3)
740:9;768:16;
870:17
relates (1)
849:3
relating (2)
762:12;840:17
relation (2)
865:10;907:14
RELATIONS (7)
692:2,14;749:17;
751:21;839:7,13;
844:19
released (1)
809:14
relevance (20)
715:16,17;735:23;
738:15;744:2,10;
745:3,20;746:9;
765:18;768:18;
769:18;782:4,23;
803:14,15;815:8,9;
821:19;848:25
relevant (9)
700:19;704:22;
726:17;768:20;
808:19;823:1;839:24;
840:2,4
remember (18)
720:8;731:17;
737:18;749:16,25;
751:18,24;752:11,12;
766:17;774:24;
775:16;790:5;819:1;
849:25;857:24;
884:11;896:3
remind (5)
733:18;736:9;
762:5;773:13;905:18
remodel (3)
781:12;782:15;
783:18
remove (3)

14;813:9;814:4
ruled (1)
747:20
rules (2)
762:2;803:24
ruling (2)
861:6;872:25
rumors (1)
707:24
run (1)
788:25
running (1)
820:1

S

safe (1)
820:6
safety (10)
762:15,25;763:4,
11;768:2;789:8;
810:12;819:19;820:9,
14
sales (1)
788:17
Sam (43)
704:10;711:9,12,
13,15,19,21,23;
712:24;713:2,3,5,11,
13,17,21;714:6;
717:16;721:7,9;
722:8;730:5,12,13;
749:20,20,23;750:2,
16;751:7;758:5;
774:24;775:1,3,4;
781:24;783:7;790:25;
802:11,22,25;908:11,
14
Sam's (1)
803:3
Samantha (19)
828:2;874:10;
884:20,21;885:24;
886:14,15;887:2;
897:20;899:14,20,25;
900:11;902:5,21;
904:10;905:2,6;
906:11
same (25)
738:21,25;753:13;
792:25;803:15;
806:13,15,22;813:3;
814:3;818:19,22;
824:20;839:13;
848:24;868:11;873:2,
4;876:8;881:10;
882:18;892:14;894:4;
897:24;903:25
Samo (1)
907:25
Samuel (1)
709:2
San (1)

706:2
sanitary (1)
793:5
Sansouci (1)
853:18
sat (2)
843:18;895:4
satisfactory (1)
839:5
satisfied (3)
700:25;730:9;
773:25
Saturday (4)
701:9,16;779:20;
856:24
saves (2)
831:23;869:22
saw (4)
699:1;712:7;725:7;
865:8
saying (17)
730:9;740:2,3;
744:22;749:20;752:1,
15;828:13;838:4;
858:7;859:1;861:14,
19;890:11;900:12;
908:11;909:1
scene (1)
800:18
schedule (9)
721:21;788:16;
799:17;807:11;818:5,
14;857:21,25;873:21
scheduled (13)
770:18;800:10,11;
819:22;834:12;
882:14;894:8;896:5;
900:20,22;908:15,17,
21
schedules (1)
818:9
scheduling (2)
788:1,4
scope (6)
775:5;800:1;
822:17,25;823:6,12
scores (1)
831:14
screenshot (5)
723:10;726:8,9;
742:21;805:8
search (3)
698:21;700:18;
701:3
searching (2)
700:19,19
Sebastian (3)
794:1,13;797:11
sec (1)
836:18
second (20)
698:12;703:10;
704:17;715:19;778:5;

813:16;829:7,7;
831:16;832:7,20,22;
845:2,23;875:15;
880:10;902:7;904:21;
906:5;910:11
seconds (10)
837:6,17;845:20;
846:2,8,10,13;870:8;
880:6,16
section (8)
699:12;743:2;
777:14,24,25;778:1;
831:12;852:3
seeing (2)
772:13;876:5
seeking (1)
815:10
seem (3)
736:19;824:24;
872:21
seemed (5)
736:12;737:10;
738:4;841:13;895:5
seems (3)
805:24;856:14;
873:5
send (27)
709:6;736:8,24,25;
762:1,2;764:10;
765:12;767:16,21;
776:7;793:1,1,16;
795:3;797:10;804:15,
17;839:8,9;844:19;
851:12,16,19;859:22;
860:5;888:19
sending (4)
736:20;738:5;
794:16;814:23
sense (2)
700:22;701:5
sent (65)
707:25;709:4;
713:14;736:23;737:2;
742:21;743:1,4,7,18,
21;762:21;763:1,3,7,
8,18,19;765:13,17,23;
766:13;767:14,14,23,
25;768:4,6;774:11,14,
16;775:15,18;795:7;
796:9;797:7,15,21,24;
805:12,14,21;806:19;
815:4,14;818:25;
819:5;829:24;830:2,
7,13;833:6;839:9,10,
11,12;851:21,25;
874:22;882:24;896:9;
901:5;905:21;908:3;
909:6
sentence (2)
898:11;907:2
separate (1)
831:12
separated (2)

767:4;827:21
separation (9)
712:9,24;713:2;
714:13;744:4;767:2,
7;906:3;909:8
September (21)
706:3,4;707:20;
711:13;720:11;780:2;
830:1;873:16;900:25;
901:3,23;902:1,1;
905:6,16,18;907:5,9;
908:8;909:7,9
serious (2)
736:21;813:6
served (1)
721:15
service (3)
860:18,24;871:13
serving (1)
716:7
session (4)
782:18,21,25;
783:13
sessions (1)
790:20
set (9)
751:5;775:8;
785:18;815:15;818:5;
823:20;831:22;
841:23;884:9
seven (3)
748:9;770:20;880:6
several (4)
761:11;831:13;
883:2;898:5
sh (1)
815:2
Shamen (1)
778:22
share (1)
860:20
shared (3)
783:17;869:8,17
Shariden (1)
753:16
she'd (1)
731:24
she'll (2)
704:10;806:20
she's (20)
704:20;710:17,18;
729:2;735:17;738:19;
740:24;746:1;747:11,
11;753:14;754:19;
776:5,6;800:1;
803:23;820:15;858:7,
7;899:2
Sheridan (22)
706:5;707:12;
708:11;711:8;714:10;
719:13;757:10;779:9;
781:12,14;785:20;
802:2,15;803:9;

811:14;821:14,17;
822:2;824:15,15;
832:14;887:12
shift (86)
706:8,9;707:2,3,3,
13,14;708:3;711:21;
717:17;719:16,24,24;
734:17,24;735:1,5,5;
736:6,13;737:8;
738:11,18,24;739:3,7,
8,15,16,23;740:3,22;
750:20,23;751:1,8;
755:4,21;757:5;
765:11;766:19;
770:13,14,15,19;
779:12,14,21,22;
792:15,19;795:9,14;
802:15;813:13,25;
814:9;843:14;845:22;
851:6;853:9;874:25;
881:1;883:2,4;
888:15;890:20,20,21;
892:22;895:15,17,20;
896:2,8,10,12;897:5,
6,10;901:4;904:22;
907:21;908:1,21;
909:2
shifted (1)
834:13
shifts (27)
711:15;751:2;
787:21;792:15,18;
793:1;794:25;803:22;
810:5;813:4;875:7,8;
882:13,14,16;894:11;
896:1,3,17;899:15,20,
22;900:14,17,22;
901:2;905:18
shirt (2)
768:14,17
shooting (2)
738:6;802:4
short (16)
715:10,22;716:24;
718:17;720:10;736:7,
12;763:7;776:14;
787:2,22;788:19;
822:5;825:2;860:14;
906:14
shorter (1)
904:17
shortly (2)
858:14;899:19
short-staffed (3)
728:12;738:4,5
shot (1)
863:21
shouldn't (5)
739:24;744:11;
759:13;864:3;897:3
show (14)
712:5;713:5,13;
718:23;719:2,19;

721:19;736:21;773:2;
780:18,24;842:4;
882:16;905:22
showed (20)
712:11;713:3,5,11,
17;722:19;725:21;
739:8;742:4,10;
783:25;796:9,12;
804:12,19,22;901:2,3;
905:19;907:18
showing (9)
828:15;836:6;
842:5,8;844:22;
852:8;876:20;879:7;
887:17
shown (1)
709:16
shows (1)
805:24
shut (6)
773:4;789:8,24;
815:18;818:4;821:23
sick (2)
767:22;768:1
side (4)
798:25;831:12;
843:6;877:16
sides (2)
764:22;873:6
sidewalks (1)
907:18
sign (9)
708:9;829:13;
877:4,15,16,19,20;
902:8;906:6
signature (3)
784:9,13;883:17
signed (6)
708:7,7,23;752:13;
828:7;877:23
signs (1)
717:1
silly (4)
736:12;737:10;
738:4;761:22
similar (4)
719:17;757:14;
758:4;890:9
simply (1)
871:16
single (3)
774:9;811:18;
896:10
sink (1)
893:14
sit (1)
816:11
sitting (2)
724:20;843:15
situation (9)
719:17;731:25;
760:11;762:24;763:2;
774:10;795:5;818:10;

820:6
situations (2)
760:16;763:3
six (2)
764:24;777:16
size (2)
698:5,7
Skylar (2)
846:4,11
slash (1)
761:10
slides (1)
843:8
slightly (2)
704:22;791:18
small (5)
781:11;793:8,16;
869:16,19
smaller (3)
698:6;782:14;
805:24
smoking (1)
863:19
SMT (1)
723:18
snapshot (1)
724:16
SNELLING (175)
703:6,8;704:9,16,
19;705:3,6;710:1,2,
18,21,24;711:3,6,7;
712:14,18,20;713:9,
10;714:18,22;715:4,
5;716:2,11,16;
717:25;719:8;720:14;
722:22,25;723:2,22;
725:18,20,24;726:1,
15;727:6,9,16,21,25;
728:3,4,20,23;730:10,
11;732:22,25;733:2,
9;734:19,21,23;
735:20,24;736:3;
739:2;740:17;741:12,
24;742:14,17;743:23;
744:12,14,17,20;
745:4,13,16;746:11,
16;747:8,10,13,23;
748:3,9;749:9;757:1;
759:1;760:24;765:18;
767:11,13,20;768:13,
21,24;769:3,4,11,14,
15,19,25;770:3,4;
771:14,16,21;772:4;
773:10,12,18;774:2;
775:5,10;776:16,23;
777:12,14,17,19,21,
24;778:6,8,10;782:5,
10,24;783:3;784:18;
785:17;786:15,21;
788:8,14;789:11;
794:12;796:18,20,22;
797:1,2;798:1,15;
800:6;801:6;803:18;

804:25;806:10,25;
807:5,14;808:15,17;
819:12,14;820:12,18,
20,24;821:5,8,12,13,
21;822:13,14,21;
823:1,9,15,25;824:3,
6,14,22;836:6
so- (2)
814:5;815:9
so-called (8)
761:19;810:25;
812:4;813:9,24;
814:18,19;819:1
solution (3)
737:12;862:21,21
solve (2)
793:15;863:11
somebody (11)
702:19;710:25;
736:8,20;763:7;
764:10;767:21;
800:18;801:9;862:9;
896:8
somehow (1)
726:24
someone (9)
711:9;738:7;
740:25;768:1,4,6;
788:6;802:11;803:5
sometime (13)
707:19;708:14;
718:4;720:11;731:20;
752:7;753:18;766:1;
772:10;773:1;856:17;
872:9;893:6
somewhat (2)
828:1;858:2
somewhere (2)
735:16;784:9
soon (2)
815:6;865:24
sorry (32)
698:4;717:2;727:7;
731:5,13;734:10;
749:20;750:11;
752:14;754:16;
760:25;761:13;
765:25;769:11;
777:15,15,17,19;
791:13;802:23;
815:13;828:11;
841:22;863:24;
884:17,18;899:11,24;
901:6,10,11;902:3
sort (7)
700:3;794:21;
822:18;834:21;895:4;
899:4;900:9
sorts (1)
832:2
sought (1)
772:8
sounds (3)

703:9;748:12;
809:23
space (1)
870:22
speak (9)
712:2;731:20;
789:12;793:22,25;
794:5;798:20;799:2;
843:12
speaker (1)
850:25
speaking (4)
728:8,10;844:12;
848:5
speaks (1)
729:2
specific (7)
698:17;702:11,12;
709:4;710:8;771:17;
839:24
specifically (12)
708:16;709:5;
710:6;718:2,24;
767:16;783:9;789:17,
18;821:2;869:7;883:3
speculate (1)
757:2
speculation (2)
775:20;788:5
spell (4)
703:22;757:8;
777:1;826:1
spelled (1)
884:15
split (2)
822:1,1
spoke (9)
721:10;730:21,23;
756:16;774:10;794:3;
801:7;807:7;828:9
spoken (2)
762:21;843:9
spot (1)
747:6
squared (3)
703:13;773:8;775:8
Stachowiack (2)
722:2;787:5
staff (6)
718:20;720:10;
721:12,21;728:16;
736:12
staffed (8)
715:10,23;716:24;
718:17;721:22;736:8;
815:22;822:5
staffing (12)
729:23,24;755:12;
786:11,19,22,23;
787:2,22;788:20,24;
792:1
stance (2)
863:22;866:16

stand (3)
703:15;749:10;
776:24
standard (6)
769:21;788:24;
831:23;859:21;
863:17;877:18
standards (7)
738:22,22;762:16,
25;763:4,11;788:21
standing (2)
730:25;900:16
stands (2)
880:16,18
STARBUCKS (93)
692:5;705:14,15,
17,21;706:1,7,19;
707:5,6,8;708:5,23;
711:23;720:15;
729:11;732:12;733:3,
6,11;735:16;737:3;
738:10;739:10;
745:18;746:25;
747:12,17;749:21,22;
751:1;757:11;758:13,
16,22;759:15,19;
760:21;761:12,13,15;
762:3,12,25;763:4,9,
21;765:16;766:6;
769:17,21;779:1,3,7,
11,16;780:5;788:24;
790:6;801:18;802:17;
804:3;806:21;810:21,
22,24;811:1,6,6,9,19;
815:4,7;818:16;
827:6,8,18;829:24;
830:2,5,8,19;831:18;
833:24;858:24;
877:18;880:20;
889:22,23;891:8,19;
906:3;907:10
Starbucks's (1)
831:7
starbuckstaleo (1)
831:19
start (21)
705:15,16;706:13;
731:2;750:23,24;
753:15;761:7;770:15;
776:15,25;789:22;
794:13;799:11;
800:25;832:25;
842:20;851:5;875:4;
887:21;910:5
started (16)
708:1;733:22;
753:17;770:17;779:8,
12;786:8,9;787:7;
792:10;795:25;
811:13;826:22;842:2;
849:16;851:6
starting (2)
721:22;779:4

starts (3)
721:25;765:15;
848:6
state (1)
718:24
stated (2)
726:10;773:21
statement (7)
713:23;737:24;
741:13,15;745:6;
790:15;804:22
statements (2)
748:8;910:6
states (1)
897:22
stay (5)
733:16;759:20;
786:7;787:23;794:3
stayed (4)
764:11,12;790:8;
791:7
steal (1)
816:23
stealing (2)
800:13;817:12
steam (1)
812:18
stellar (1)
862:13
step (3)
831:14,16;869:22
stepe (1)
857:10
stepped (1)
801:12
steps (6)
716:17,19;731:11;
813:10;832:4;865:14
still (27)
704:22;711:23;
717:5;720:15;722:17;
724:22;739:10;742:2;
749:5;757:11;761:14;
785:7;802:17;804:2;
828:9,12;843:19;
858:2;861:20;867:15;
872:15;873:4;877:9;
889:4;890:12;894:1;
906:13
stipulate (5)
855:25;856:3,21,
22;857:4
stipulating (3)
727:10,13;857:2
stipulation (1)
856:3
stolen (6)
799:18;800:20;
801:13;816:16;817:4,
8
stop (6)
772:8;837:24;
845:20;846:2;852:25;

899:18
stopped (3)
853:25;864:22,24
stopping (13)
837:6,17;853:8,11;
870:8;880:6,16,24;
881:7,14;886:16;
904:19,25
stops (1)
871:10
storage (2)
763:16,17
store (205)
705:25;707:10,11,
15;708:8,11,15,22,24,
25;709:4,5,11;
710:10;714:10;
715:13;716:22;
718:20;720:2,21;
721:19;722:4,5;
723:6,17;724:13;
726:5;727:11;734:12;
736:5;751:9,13;
752:3;753:1,1,17;
755:22;757:18;
758:25;760:8,13,14,
18;762:13;764:3;
772:17;775:1,4;
779:6;780:19;781:11,
12,14,21,24;782:1,6,
14;783:6,8,16;786:2,
4;787:12;788:20;
789:12,21,24;790:2,
18;791:6,12,15;792:1,
4,6,7,13,16;794:2,4,
23;795:24;796:1;
798:24;799:5,10;
800:19,22;801:9,10;
807:25;808:7;810:15;
811:4,12,18,19,21;
812:1,1,5;813:20,23;
814:7;815:14,18,22;
816:2,3,17;817:11,16,
22;818:4,4;819:16,
24;820:1,21,22;
821:15,23,25;822:2,3,
4,4,16;823:3;824:15;
827:10,11,14,16,24,
25;832:22,23;834:14,
17,20,22;842:2;
843:14;846:4;849:17;
850:6,25;858:5,25;
874:6,8,10,13,13,25;
875:2,9,15,16,17,18;
877:7;883:20;884:17;
887:24;889:20;890:1,
1,2,6,8;891:20;894:8,
12,14,18,21,25;895:3;
896:7,10,15;897:25;
898:4,18,20;899:3,4;
900:4;902:5,6;
904:22;906:9,12,12,
13,15;907:13,15,17,

20;909:1,5
store's (2)
891:14;898:15
stores (24)
701:2;708:1,6;
790:8;799:18;812:2;
818:16;830:21;831:3;
832:5,12,17;841:9,10;
887:9,9;897:17;
898:2;899:16,20,22,
24;900:14,17
storing (1)
763:5
story (1)
775:4
Strawberry (1)
724:12
Street (1)
832:14
strike (52)
709:24;713:4;
715:1,17;721:13;
729:1;739:17;741:17;
746:12;761:19,21;
762:2,7;763:24;
765:12;766:7;769:10;
775:18;781:7,9;
783:9;788:3;792:10;
795:22;796:2,3;
797:8,24;798:20,21;
799:12,15,20,25;
800:17,19,20;801:9,
11;802:9;807:7,9;
812:4;814:6;815:2,6,
6;816:16;817:15;
882:13;898:10;
899:11
strikes (21)
704:14;709:17;
734:4,5,6,13,24;
735:2;736:7,21;
737:1,9,19;738:1;
762:22;767:15;768:5;
781:4;814:13,19;
815:23
striking (1)
800:7
stuff (3)
697:15;778:4;
824:21
subject (3)
761:17;817:4;867:5
submit (4)
702:5;832:4;841:3;
889:5
submitted (4)
745:18;860:3;
865:11,11
submitting (1)
750:12
subpoena (6)
697:6;699:2;
702:10,14;809:7;

891:22
subsequently (1)
873:17
substance (2)
746:6;910:12
success (1)
751:6
suggesting (2)
734:17;756:23
suicidal (1)
873:14
suicide (5)
842:15;870:24;
876:16,17,18
Suite (1)
692:15
summer (3)
766:1;778:20;899:8
summertime (2)
736:10;765:4
Sunday (4)
701:9,16;730:1;
733:16
Sundays (4)
706:17;707:1;
733:22;760:1
supervising (1)
774:20
supervisor (37)
706:8,9;707:13,14;
711:21;717:17;
719:16;734:17;735:6;
737:8;738:11,19,25;
739:4,7,9,15,23;
740:4,22;741:4;
751:8;755:4;757:5,9;
765:11;766:19;
779:13,14;802:15;
813:13;843:14;
845:22;853:9;881:1;
890:20;904:22
supervisor's (1)
890:21
supervisors (15)
708:3;734:25;
735:2,5;736:6,13;
751:1;755:21;792:19;
795:9,14;861:18;
874:25;883:2,4
support (21)
709:16;710:5,6;
749:24;752:25;769:2;
780:14,18,24;804:11,
13;812:16;833:12;
848:9;849:15;870:22;
875:14,16;884:15,17;
909:24
supported (2)
709:18;865:14
supporting (1)
750:12
supporter (5)
761:2,7,12;768:19;
876:8
supporting (1)

744:5
supportive (2)
898:25;899:3
supposed (14)
734:21,25;739:16;
750:21,22,23,24,24;
764:11,12;770:20;
773:1;816:4;903:13
Sure (43)
697:21,23;698:5;
701:14;712:10;
732:17;743:9;753:24;
775:12;783:4;785:7;
786:22;788:23;
791:19,22;793:4,11;
794:20;797:14;800:4;
801:5;807:8;812:15,
19;815:5,13,21;
820:17;823:23;825:1,
11;840:7;845:24;
848:25;851:7,8;
857:6;862:1,18;
865:12;867:8;877:22;
878:5
surrounding (1)
792:1
sustain (6)
728:22;732:15;
768:12;769:24;
771:15;822:20
Sustained (14)
709:23,25;732:15;
735:19;741:22;757:3;
771:12;773:16,17;
775:7;788:7;822:11;
823:14;832:10
sworn (3)
704:5;777:8;826:8
system (4)
700:13,14;701:3;
721:17

T

tab (2)
859:20;868:19
table (6)
791:1,3;801:8;
835:4,19;863:12
tag (2)
843:7;890:13
talent (1)
831:18
talk (10)
708:20;710:22;
743:16;793:12;807:6;
859:3;865:23;891:19;
895:5;909:9
talked (7)
718:3;776:6;
841:13;859:4;876:3;
896:25;897:19
talking (16)

STARBUCKS CORPORATION

708:1;716:7;727:8;
733:8;740:24;761:19;
763:14;786:13,17;
815:2;816:12;822:18;
832:22;857:9,19;
876:6
tampered (1)
891:4
Taniwana (1)
714:9
Tanner (32)
834:15,21;835:7;
836:2,23;837:8,13,19;
840:12,24;843:15,21;
844:10,12,15;845:13;
846:14;848:13;
854:22;858:4,25;
864:23;865:2;866:8;
867:3;870:6,10;
871:22;877:9,9,10;
884:22
taped (1)
717:3
tardy (1)
909:9
targeted (1)
698:6
task (2)
813:2,14
Tati (19)
738:11,12;739:3;
741:5,7,20,25;742:21;
743:1,16,18,21;745:4,
10,10,16;805:14,21;
806:8
Tati's (1)
746:13
Tatiana (3)
738:14;739:10,16
Tatianya (1)
741:13
Tatiayana (1)
744:4
Tatiayna (15)
738:8;740:18,23;
766:17;767:1,4,6;
803:5,13,20;804:23;
805:7;806:15,19,20
Tatiayna's (2)
805:18;807:2
Taylor (9)
875:9,14,16,17,19;
876:2;881:9,10;
884:21
Taylor's (1)
875:13
tea (1)
801:19
technology (1)
865:9
telling (2)
762:18;774:24
temporary (2)

808:2;874:11
tend (1)
726:23
tense (1)
807:10
term (3)
700:13;708:21;
709:22
terminate (2)
802:22,25
terminated (12)
712:1,2;732:7;
739:13,14;740:6,23;
745:8;766:23,24;
802:20;804:6
termination (15)
711:14;712:3,6,8;
739:20;740:19;741:5;
745:9;749:22;802:21,
25;803:3;804:7,8;
847:9
terms (8)
698:8;701:6,13;
751:2;810:21;811:4;
813:1;825:2
test (2)
730:14;867:18
testified (36)
704:6;730:14;
732:18;735:17;744:3;
746:5;751:16;756:4;
757:5;760:23;761:2;
766:3,22;768:4,11,19;
769:21;771:7,11;
774:9;775:15;777:9;
778:17;807:21;808:6;
810:4;813:8;817:15;
820:15;826:9;855:8,
11;866:2;890:25;
891:11;892:14
testifies (2)
806:20;848:7
testify (16)
713:3;728:17,18;
732:13;745:5;747:7,
12;769:22;777:11;
788:6;803:17;806:21;
824:8;826:12,22;
891:21
testifying (5)
704:8;709:20;
752:10;812:4;867:18
testimony (33)
713:4;726:23;
727:15;741:3,9;
744:9;746:12;747:22;
748:15;749:14;
751:18;752:2;754:3,
23;755:13,23;757:14;
759:21;761:25;
766:16;776:11,12;
806:24;823:22;
824:16;839:1;847:15;

867:19;881:11;891:6,
12;905:16;910:21
texted (4)
722:13;728:8,13;
749:20
texting (2)
723:16;725:3
thanking (1)
731:3
thanks (5)
773:6;776:19;
819:9;903:19,24
That's (86)
698:7,22;699:3;
700:4,4,7,13;701:18;
702:22,22;707:25;
713:7;717:24;718:8,
10;721:11;724:8;
726:10;728:21,21;
729:23;732:1;733:22;
755:12;756:2;760:16,
16,20;766:9;771:6;
772:4;773:11;778:6;
796:18,20;797:12;
798:8;805:15,15;
808:19;809:18;
815:18,22;820:18,23;
822:19;824:25;825:3;
826:3,13,13;837:20;
838:5,5;839:4,4;
840:1;846:4,11;
848:20;849:8,8,17;
852:4;855:25;856:11;
857:11,17,18;858:16;
861:2;864:9;865:2;
869:22,22;874:16;
881:25;890:9;891:23;
893:21;909:12,15,16;
910:11,11,13
the- (1)
834:8
theory (1)
823:2
there's (37)
698:17,20;699:11;
700:8;701:17,21,21;
724:8;729:20;744:2;
778:4;790:9;794:25;
805:8,11,18;808:18;
809:21;831:12;
839:15,25;849:1;
853:19;855:16;
859:20;860:21;
861:21;862:18,25;
864:14;868:1;873:13;
890:8;898:4,7,8,14
thereafter (1)
727:4
they're (10)
727:13;736:10;
738:23,23,24;747:2;
767:23;862:25;
869:16,19

they've (2)
700:23;862:23
thinking (2)
699:12;709:1
third (9)
734:7,9;736:9;
791:21;792:12;
813:19;875:17;
887:12;910:12
though (6)
763:23;889:4;
890:10;895:1;896:3;
898:17
thought (19)
701:24;718:1,9,10;
731:6;746:6,13,16,17,
18;757:2;761:21;
771:22;772:23;
773:13;788:6;817:8;
872:20;894:7
threat (1)
815:10
three (66)
704:14;706:2;
709:2;715:24;720:23;
734:4,5,6,13,24;
735:2;736:7,21;
737:1,9,19;738:1,13;
761:19,21;762:2,6,22;
763:24;764:5,6,12,23;
765:12,23;766:4,6;
767:15;768:5;771:4,
4,5;774:17;775:18;
786:7,18,22;787:8;
792:10,25;793:4,5;
799:9;812:4;813:10,
24;814:3,3,6,13,18,
19,20;818:10;819:6,
22;831:14;852:25;
870:8;873:21;910:13
three-strike (4)
812:9,13;813:9;
814:4
three-week (1)
864:11
throughout (2)
766:10;770:20
Thursday (2)
692:15;706:25
Tiana (1)
704:11
tie (1)
747:15
Tiff (2)
865:16;883:5
Tiffany (18)
849:12,14,15,22;
850:5,15;851:7,11,23;
852:1,4,13,15;853:3;
854:10;858:22;859:7;
880:8
Tiffany's (2)
853:11;854:22

till (1)
817:5
timeframe (7)
786:14;832:25;
859:13;867:15;
873:24;891:13;
892:24
timeline (2)
847:8;856:15
timeline's (1)
834:13
timely (1)
788:23
times (17)
718:14;720:9;
765:24;766:4;776:5;
787:19,21;788:22,24;
789:8;793:4,6;
833:14;841:14,15;
883:1;896:5
timestamp (2)
797:13,15
timing (2)
847:7;857:7
tipping (1)
711:3
today (10)
725:1;752:10;
756:21;808:23;809:8,
10;816:11;845:5;
892:15;903:7
Todd (1)
704:11
together (5)
708:4;802:15;
815:22;826:15;
857:24
told (40)
710:7;717:16;
718:6;719:1;721:22;
731:8,22,24;749:20;
751:24;753:7,21;
762:6;775:1,3;776:6;
787:17;790:5;792:16;
794:15,19;799:15;
801:10,15;812:8,13;
861:18;874:19;876:1;
895:10;897:8;899:21,
23,24;900:1,10;901:4,
5;905:21;909:6
tomorrow (12)
698:4,4,15;699:6,
15;745:5,16;747:16;
909:25;910:2,19,22
Tonawanda (29)
720:17;731:1;
735:10;737:15;
753:15;766:2;783:17;
785:20;786:1;787:12;
789:21;792:13;794:2;
795:23;796:1;800:22;
803:9;811:15;819:24;
820:21,22,25;821:1;

822:2,4,8,16,23;823:2

tonight (1)
910:21

took (16)
707:6;716:19;
718:16;731:13;735:9;
737:15;825:20;
838:23,25;840:17;
887:23;891:12;892:6;
893:5,14;906:12

top (8)
723:12,18;743:5;
802:3;805:11;843:5,
8;877:8

topic (2)
803:23;900:6

total (2)
698:8;770:20

touch (1)
749:5

touched (1)
820:24

touching (1)
704:10

toward (2)
834:10;843:5

towards (5)
723:12;733:21;
769:7;834:8;840:2

town (1)
752:24

traffic (8)
785:25;786:5,12,
16,18,25;787:24;
811:21

transaction (1)
817:6

transcribe (5)
860:18,25;862:2,
24;863:6

transcribed (1)
863:13

transcript (58)
836:4,11,12,14,22;
838:4,19,22;839:24;
840:18;845:2,5,7,10,
12,12;846:17;847:22;
852:6,12,16,18;
853:18;855:11,13;
860:14,19,22;861:12,
20;862:10;863:20;
864:12,15,16;866:14,
17,18;871:14,16,18;
872:23;873:5;879:2,
14,17,20;885:12,14,
23;886:1,5;903:4,4,7;
904:2,5;905:11

transcription (3)
860:17,24;861:25

transcripts (1)
838:9

transfer (25)
782:6,14;783:16;

785:20;821:18;831:2;
832:6,21,24;833:11,
20,23;834:2;840:12,
16;841:1,3,4,6,7;
894:24;895:2,8;
897:1,3

transferred (5)
779:9;811:13;
818:13;821:14;822:8

transferring (1)
839:25

transfers (5)
840:12,15,16,17;
841:9

Transit (2)
832:14,15

transition (1)
874:12

transmission (1)
830:4

transport (1)
822:3

treating (1)
863:2

treats (1)
812:1

Triami (1)
710:11

tried (1)
760:12

trouble (1)
759:14

true (15)
713:17;726:12;
743:17,20;753:20;
760:6;784:15;797:23;
805:20;806:7;810:15;
811:18;818:3;822:19;
847:21

trunks (1)
812:21

truth (1)
741:10

try (4)
702:9;736:19;
746:16;896:8

trying (11)
697:8,9,13;724:3,
16;737:12;738:3;
780:6;793:15;809:21;
895:1

t-shirt (1)
769:1

t-shirts (1)
709:17

Tuesday (3)
725:7;730:22;
733:16

Tuesdays (3)
706:17;733:22;
760:1

turn (9)
728:16;729:22;

755:22;776:12;789:3,
6;884:18;902:7;906:5

turned (5)
702:13;728:12;
755:11;764:13;795:5

Turning (2)
750:19;805:23

TV (2)
780:19,22

twice (2)
711:17;800:16

two (45)
697:10;699:5,23;
701:16;702:18;
703:19;716:8;717:1;
727:8;732:18;733:13;
744:23;759:8,24;
760:7;769:7,8,16,17,
22,23;770:5,6;
772:25;782:13;
787:21;794:6;808:15;
818:12;819:24;820:4,
6;831:6;837:18;
846:2;850:1;856:24;
857:20;859:8;861:24;
867:19,24;886:13;
893:22;904:25

type (6)
697:15;761:17;
806:15;814:12;
817:11;835:12

typed (1)
784:12

types (1)
731:9

typically (12)
706:12,15,20,24,25;
707:2,3;711:16;
779:17,19,21;859:25

U

---

uh (1)
780:22

ultimate (1)
746:3

ultimately (2)
849:7;851:16

um (1)
800:9

unable (2)
716:10;788:25

unaware (2)
818:11,15

under (14)
716:21;726:10;
737:1;744:6;757:14;
760:16;762:6;765:11;
862:12;863:17,21,21;
868:19;877:8

underlying (1)
745:24

understaffed (1)

896:8

understood (4)
738:2;755:13;
807:25;873:9

unfair (1)
781:10

unfortunately (1)
702:22

Union (45)
707:16;708:1,6,19,
21,24,25;709:13,16;
710:5,6,8,20;761:3,7,
12;768:9,14,16,20,22;
769:1,2;779:23;
780:6,14,18;781:19,
20;790:12;791:11,14,
23;795:17;803:2;
808:4,11;828:3;
839:10;848:6,9,12;
849:16;876:8;884:16

unionize (4)
707:25;708:16;
781:3,15

unionized (3)
708:12;709:18;
848:14

unionizing (3)
708:13,15;780:20

unique (2)
889:22;890:1

UNITED (8)
692:8;707:16,19,
22,23;779:23,25;
780:4

universe (2)
700:17,18

unquote (1)
701:3

unrebutted (2)
726:23;727:15

unsure (1)
709:9

unusual (2)
720:1;884:10

unwilling (1)
870:19

up (81)
704:13;708:13;
711:13;715:11,15,20,
21;716:3,5,10;
717:18;718:23;719:2,
19;721:9,9,11,19;
724:13;731:14,25;
732:9,10;735:4;
737:3,9,12;738:24;
747:16;751:6;759:13,
13;761:22;764:24;
771:21;773:2;777:22;
786:9,16,18,24;787:8;
794:14;795:4;805:11;
815:24;821:24;822:1;
826:20;828:9;831:22;
840:24;841:12;

849:12;854:21;
856:10;858:23;
864:19;868:9;870:12;
873:7;882:16;894:24;
895:7;896:1,2,8,12,
17;897:4,5;899:15,20,
22;900:7,14,17;901:2,
3;905:19;907:18

upcoming (3)
789:23;854:24;
858:7

updated (4)
731:4;786:3,8,9

updates (1)
841:5

upon (3)
704:10;820:24;
840:7

ups (1)
732:14

upset (5)
756:12,13,16,18;
802:10

use (15)
708:5;717:9;
719:24;750:2;844:3;
848:6;849:1;878:15,
17,19;885:2;888:6,9;
902:24;903:1

used (6)
801:15;816:20;
835:14;851:2;892:18;
902:23

useful (1)
729:5

using (8)
709:22;716:12;
734:25;736:20;
757:18;831:7;848:15;
859:13

usual (2)
731:19;733:25

Usually (5)
779:20;843:7;
855:22;856:6,7

V

---

vague (4)
733:7;734:15;
822:10;823:12

values (2)
737:4;762:3

various (4)
761:21;763:9,11;
873:13

verbal (5)
813:13;814:12,15,
16;875:20

verbatim (1)
871:14

verdict (2)
753:22,25

verifiable (1)
891:19
verify (1)
894:8
version (7)
785:8;824:7;
851:16,19,20,21,25
versus (4)
734:17;795:5,12,14
via (5)
722:16;782:20;
791:4;796:6;804:18
video (1)
872:23
Village (2)
887:11;897:1
violates (1)
762:25
violating (5)
763:4,8;765:12;
819:1,6
violation (1)
754:11
violations (3)
761:23;762:1;907:1
virtue (1)
813:5
visit (1)
899:6
visited (3)
898:23;899:4,8
voice (17)
837:7,12;845:22,
23;846:3,6,10;851:4;
853:8;854:5;860:16,
25;865:1;870:9;
880:10;881:2;904:21
voicemail (23)
833:6,8,10;859:4,7,
10;860:7,14;866:2,5,
8,13;867:7,13;868:9,
20,21;869:1,7;871:21,
25;872:7,15
voicemails (6)
859:19,20,22;
867:3,6;868:15
voices (6)
837:18;845:21;
880:7;886:13;904:19,
25
Voir (22)
723:24;724:1;
784:20,22;798:4,6;
829:19,21;838:10,12;
846:19,21;854:14,16;
866:11,12;872:3,5;
889:15,17;893:16,18
vu (1)
806:12

W

wait (2)

717:5;902:1
waiting (2)
787:20;833:16
walk (2)
748:14;838:1
walkthrough (2)
834:22,24
wants (1)
838:2
warned (1)
812:8
warning (12)
759:8;883:13,13,
15;884:19;889:11;
893:10;895:24;
900:19;901:17,25;
903:11
warrant (1)
762:6
warranted (1)
812:13
wasn't (25)
701:3;718:18;
725:10;744:3;745:25;
750:9;751:7;766:6;
768:11;788:11,18;
794:15,17,20;799:8;
811:15;818:15;820:1;
833:16;851:6;872:13;
876:16;889:22,23;
899:1
water (1)
703:14
way (31)
709:15,19;711:13;
724:11,13;729:21;
732:14;738:21;744:3;
747:19;751:5;761:22;
824:20;831:22;832:7,
20,22;835:22;844:17;
862:13;863:11;866:6;
871:25;878:22;882:4;
885:6;888:17;894:9;
896:7;897:24;904:12
ways (4)
716:8;773:16;
819:24;831:6
we'd (2)
697:22;825:9
we'll (46)
701:14;703:4,4;
705:24;721:5;725:13;
741:11,11;745:1;
747:25;748:17;
755:12;776:15;778:4;
798:11;808:24,24,25;
809:10;825:5,15;
826:22;832:9,9;
841:16,16,17;861:2,
24,24;862:14,14,17,
17;866:25,25;867:20;
869:21;873:7;877:14;
882:9;887:6;902:16;

905:10;910:5,19
we're (47)
697:8,13;698:19,
24;699:4,18,21;700:6,
7,9;704:15;723:13;
737:21,21;747:14;
748:14,21;786:17;
801:3;806:12,19;
807:6;809:14;823:20;
824:4,4;825:20,21;
830:15;839:19;
841:17;848:20;857:9,
11;860:16,17,21,22;
863:2,17,18;864:10,
12;868:7;882:25,25;
887:15
we've (18)
697:9;698:20;
720:9;741:2;748:11;
773:17;776:13;
823:24;847:17,21,21;
857:10;862:6,7,12;
880:10;891:24;
909:18
wear (24)
709:10,11,13;
768:8,11,14,16;769:1;
842:18,24;843:1;
870:25;888:15;889:7,
10;892:22;896:12,13;
897:10;898:22;
899:21;900:22;901:8;
905:15
wearing (16)
708:19;842:20;
874:15;876:14;
882:18;888:11;
892:19;893:2;894:15,
18;896:18,21;897:11,
14,17;898:1
wears (4)
898:7,8,15,22
Weaver (3)
884:20;902:5;905:3
website (3)
831:17,22;876:19
Wednesday (1)
779:20
Wednesdays (1)
707:4
week (36)
697:18,18;706:11,
13,14,18,20,21;
711:15,17;731:23;
733:19,20;738:13;
758:18;759:24;760:7;
766:20;779:17;
786:14,22;787:8;
791:21;792:13;794:6,
10;801:18;803:12;
818:12;830:1;856:4;
858:9;859:8,8;
867:14;893:22

weekend (16)
701:8;711:22;
715:11,25;722:15;
765:3;850:1;856:19,
20,24;857:9,19,19,20;
858:7,14
weekends (4)
803:22;857:20;
858:1,12
weeks (23)
759:8;769:7,8,16,
17,22,23;770:5,6;
786:7,18;787:21;
789:2;818:10,12;
833:16;834:12,13;
843:14;859:8;873:21;
874:14;876:5
weeks' (1)
733:13
welcome (9)
703:14,21;705:4;
717:5;809:12;825:18;
826:24;858:19;
866:24
weren't (8)
715:11;737:24;
790:19;812:15,20;
847:11;858:4;900:15
Wesley (1)
826:12
Westlake (9)
825:23,24;826:3,7;
829:23;838:14;
846:23;854:18;872:7
W-E-S-T-L-A-K-E (1)
826:4
Westlake's (1)
847:9
what's (34)
697:14,16,24;
698:1;699:24,25;
700:2,24;726:10;
729:2;751:4;757:7;
765:14;780:9;794:14,
14;828:15;829:11;
836:6;842:8,12;
844:22;852:8;853:1;
862:2,2;875:20;
876:20;879:7,25;
887:17;892:4;898:18;
905:22
wheel (1)
737:22
whenever (1)
705:2
Where's (2)
757:9;827:12
whereas (1)
716:7
Whereupon (4)
704:3;777:6;826:6;
911:1
Who's (2)

890:18;896:15
whole (3)
708:5;716:9;821:4
whose (4)
834:2;853:8;854:5;
904:19
William (4)
825:23;826:3,7,11
W-I-L-L-I-A-M (1)
826:4
Williamsville (14)
832:14;887:11,24;
889:2,20;890:6,16;
891:20;892:7;893:13,
24;894:11,17;895:8
willing (2)
739:4;857:4
window (3)
765:1;788:22;
850:11
windows (1)
907:19
winter (1)
761:10
wiping (1)
812:17
wise (3)
729:23,24;755:12
withdraw (3)
727:3,20,21
Withdrawn (1)
820:19
within (8)
708:25;731:23;
734:12;742:6,23;
781:10;831:13;898:2
without (25)
700:3,15,20;711:3,
3;724:25;751:17,23,
23;752:4,22;753:8,22,
25;755:1,5,24;756:9,
14,21;760:4;864:18;
866:13;871:3;872:22
witness (104)
703:5,16,21,24;
704:5,25;709:20;
711:4;713:1;715:24;
719:7;720:8;726:20;
728:17;729:6,9,12,16,
20,25;730:7;732:13;
735:17;738:16;740:3,
6,10,12,15;741:4,21;
744:15,18,25;746:5;
747:19;748:2,4,16,18;
749:10;754:20;
768:18;772:10,15,18,
21,24;773:4,7;776:4,
13,17,22;777:2,8;
786:19;788:11;789:6;
794:10;800:4;801:4;
806:14;807:3;808:14;
809:14;823:23;
825:22;826:3,8,10,22;